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# JOURNAL

OF THE

UNITED STATES

In Congress Assembled:

CONTAINING

THE PROCEEDINGS

FROM

The Third Day of NOVEMBER, 1783.

TO

The Third Day of JUNE, 1784.

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VOLUME IX.

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PUBLISHED BY ORDER OF CONGRESS.

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PHILADELPHIA:

PRINTED BY JOHN DUNLAP,  
Printer to the United States in  
Congress Assembled.

J. B. M. H. T. O. L.  
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# JOURNAL

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# CONGRESS.

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MONDAY, NOVEMBER 3, 1783.

**P**URSUANT to the articles of confederation, the following delegates attended :

From the state of  
New-Hampshire, Mr. A. Foster, who referred to his credentials dated the 18th of February 1783, read in Congress the 29th July last, and recorded in the book of credentials, page 83.

Massachusetts, Mr. E. Gerry, who produced a certificate under the seal of the state, signed John Avery, secretary, and dated the 23d of October 1783; setting forth, that he was elected on the 27th June last, by joint ballot of both houses of assembly, a delegate to represent that commonwealth in the Congress of the United States of America.



Massachusetts,

Mr. S. Osgood, who produced a letter from the said J. Avery, dated 9th July 1783, informing him, that he was elected that day by joint ballot of the senate and house of representatives, agreeable to the constitution, to serve as a delegate from that commonwealth in the United States in Congress assembled, for one year, to commence the first Monday in November.

Rhode-Island and  
Providence Plantations,

} Mr. W. Ellery and Mr. D. Howell, who referred to the credentials read in Congress the 30th of June last, and registered in book of credentials, page 76.

Connecticut,

Mr. S. Huntington and Mr. B. Huntington, who produced credentials under the seal of the state, and signed George Wyllis, secretary; by which it appears, that at a general assembly of the governor and company of the state of Connecticut, in America, holden at Hartford on the second Thursday of May, A. D. 1783, the honorable Samuel Huntington, the honorable Oliver Ellsworth, the honorable Oliver Wolcott, the honorable Benjamin Huntington, Jedediah Strong, esquire, Stephen Mix Mitchell, esquire, and the honorable Richard Law, were elected and publicly declared to be delegates to represent that state in the Congress of the United States, according to law.

New-York,

Mr. James Duane, who referred to the credentials of the delegates of that state, produced and read the 25th of November 1782, and registered in the book of credentials, page 48.

New-Jersey,

- New-Jersey, Mr. E. Boudinot, who referred to the credentials of the delegates of that state, produced and read in Congress the 5th of November 1782, and registered in the book of credentials, page 46.
- Maryland, Mr. D. Carrol, who referred to the credentials of the delegates of that state produced and read in Congress, and registered in the book of credentials, page 67.  
Mr. J. M'Henry, who referred to the credentials produced by him and read in Congress 11th of June 1783, and registered in book of credentials, page 71.
- Virginia, Mr. J. F. Mercer and Mr. A. Lee, who produced an extract from the journal, of the house of delegates of that state, dated Friday 6th June 1783. and signed John Beckley, clerk H. D. by which it appears, that on that day, Thomas Jefferson, Samuel Hardy, John Francis Mercer, Arthur Lee and James Monroe, esquires, were elected by joint ballot of the senate and house of delegates, delegates to represent that state in Congress for one year, from the first Monday in November.
- North-Carolina, Mr. Hawkins and Mr. Williamson, who referred to the credentials of the delegates for that state, produced and read in Congress 14th May 1783, and registered in the book of credentials, page 68.
- South-Carolina, Mr. J. Read, who referred to credentials produced by him and read in Congress the 17th June 1783, and registered in book of credentials, page 72.  
Mr. R. Beresford, who referred to credentials produced by him and read in Congress the 30th May 1783, and registered in book of credentials, page 71.

Seven states being represented, they proceeded to the choice of a president; and the ballots being taken,

The honorable Thomas Mifflin was elected.

The president not being present, the states proceeded to the choice of a chairman; and the ballots being taken,

The honorable Daniel Carroll was elected.

On motion of Mr. Duane, seconded by Mr. M'Henry,

*Resolved*, That the thanks of Congress be given to the honorable Elias Boudinot, late president of Congress, in testimony of their approbation of his conduct in the chair, and in the execution of public business.

On motion of Mr. Howell, seconded by Mr. Osgood,

*Resolved*, That all committees appointed by the last Congress, and having business before them be, and they are hereby authorized to proceed in the same, and that they make report as soon as may be.

On a report from the secretary at war, to whom was referred a letter from colonel Moylan:

*Resolved*, That colonel Stephen Moylan, colonel Samuel Elbert, colonel Charles Coltesworth Pinckney, and colonel William Ruffel, be promoted to the rank of brigadiers by brevet.

On the report of a committee consisting of Mr. Clarke, Mr. Peters and Mr. S. Huntington, to whom was referred a letter of the 4th October, from the paymaster general.

*Resolved*, That the paymaster general be informed, that all monies drawn on account of pay, by commanding officers and paymasters of regiments, and not paid over to the officers and soldiers of the corps for which such pay was drawn, should be accounted for in the settlement of their accounts with the paymaster general; and such accounting will be a sufficient discharge to the commanding officers and paymasters respectively.

*Resolved*, That the paymaster general deposit in the hands of regimental agents, the certificates for the arrears of pay due to the officers and soldiers of the respective lines, to be by them delivered to the individuals to whom they belong, or deposited for their benefit as the supreme executive of the state to which the respective agents belong, shall direct.

*Resolved*,



*Resolved*, That the superintendant of finance, take measures for compelling the officers late in the issuing department, forthwith to furnish the paymaster general, with accounts against the officers of the respective lines; for articles furnished out of the public magazines in that department, to the end that no further delay may prevent the adjustment of the accounts of those officers with the paymaster general.

On a report of the secretary at war:

*Resolved*, That John Pierce, paymaster general, be directed to settle the accounts of captain Pendleton, for himself and company of artificers, and those of the late regiment of colonel Bedle, and give certificates of the balance or balances, should there be any due, as is given to the line of the army.

On motion of Mr. M'Henry, seconded by Mr. Gerry,

*Resolved*, That the chairman in the absence of the president, be, and he is hereby empowered and directed to adjourn Congress on the 6th instant, to meet at Annapolis on the 26th, agreeable to the resolution of the 21st of October last.

T U E S D A Y, NOVEMBER 4, 1783.

Mr. Jefferson, a delegate for Virginia, attended and took his seat.

Congress took into consideration the report of the committee appointed to enquire fully into the proceedings of the department of war, and the same being read:

*Ordered*, That it be entered on the journals.

The report is as follows:

The committee consisting of Mr. Rutledge, Mr. Peters, Mr. Carrol, Mr. Hamilton and Mr. Bland, appointed to enquire into the proceedings of the department of war, and to report the result of their enquiries,—report,

That they have enquired fully into the proceedings of the department of war, from the first Monday in January, to the first Monday in July 1782, and from that time, until the first Monday in January 1783, and find that the secretary at war, hath faithfully executed and discharged the several powers and duties committed to and required of him, by the resolves of Congress.

On

On motion of Mr. Williamson, seconded by Mr. Osgood,  
*Resolved*, That Samuel Hodgdon, commissary of military stores, under the appointment of the secretary at war, be continued in that office until the farther order of Congress, and that he be empowered to continue such assistants as may be necessary to take care of the military stores.

That Joseph Carleton, secretary in the war office, be continued in office until the further orders of Congress.

That the secretary at war, instruct Mr. Hodgdon, not to remove from the town of Providence, in the state of Rhode-Island, and the Head of Elk, the military stores at present deposited at those places respectively, till the further orders of Congress.

On motion of Mr. Gerry, seconded by Mr. Williamson,

*Resolved*, That the chairman of Congress, in the absence of the president, give the necessary directions respecting the president's household.

On the report of a committee consisting of Mr. Osgood, Mr. Williamson and Mr. Tilton, to whom was referred a letter of the 30th March last, from major general Lincoln,

*Resolved*, That major general Lincoln, be credited in the books of the treasury the sum of five millions, four hundred and twenty four thousand, one hundred and nine dollars, and that the several departments, be charged with the amount of the bills drawn in their favor: And that all such bills as may hereafter be presented for payment, be charged to the departments in whose favor from the face of the bill, they shall appear to have been drawn; and that major general Lincoln, be credited for the amount thereof.

A motion was made by Mr. Gerry, seconded by Mr. M'Henry,

That the commander in chief be authorised and directed, after the evacuation of New-York by the British forces, to discharge the federal army, except five hundred men, with proper officers, or such number as he may judge necessary for garrisoning the posts, and guarding the public magazines of the United States: And that this motion be referred to the commander in chief, to take order.

On the question to agree to this, the yeas and nays being required by Mr. M'Henry.

Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	} ay
	Mr. B. Huntington	ay	
Maryland,	Mr. Carroll	ay	} ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jefferson	no	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
North Carolina,	Mr. Hawkins	no	} divided
	Mr. Williamson	ay	
South-Carolina,	Mr. Read	no	} divided
	Mr. Beresford	ay	

So the question was lost.

On motion of Mr. S. Huntington, seconded by Mr. Willamson

*Resolved*, That the resolution passed yesterday, empowering the chairman to adjourn Congress on the 6th, be reconsidered and altered to the 4th.

On motion, *Resolved*, That this Congress be, and it is hereby adjourned to meet at Annapolis on the 26th of this present month.

## ANNAPOLIS.

A NUMBER of members met according to adjournment, but there not being a sufficient number of states assembled to proceed to business, Congress was adjourned from day to day, till

SATURDAY, DECEMBER 13, 1783,

When the following states and members appeared :

From



From New-Hampshire, Mr. A. Foster.  
 Massachusetts, Mr. E. Gerry, Mr. S. Osgood, and  
 Mr. G. Partridge,  
 Rhode-Island, Mr. W. Ellery, and Mr. D. Howell.  
 Pennsylvania, Mr. T. Mifflin, and Mr. C. Morris.  
 Delaware, Mr. J. Tilton, and Mr. E. McComb.  
 Maryland, Mr. M. Henry, and Mr. E. Lloyd.  
 Virginia, Mr. T. Jefferson, Mr. S. Hardy,  
 Mr. A. Lee, and Mr. J. Monroe.  
 North-Carolina, Mr. Hawkins, Mr. H. Williamson,  
 and Mr. R. D. Spaight.  
 South-Carolina, Mr. J. Read.

The delegates for Pennsylvania and Maryland produced credentials, which were read.

The president then laid before Congress, a joint letter from the ministers of the United States at Paris, dated at Passy the 10th of September 1783, accompanied with the definitive treaty between Great Britain and the United States of America, signed at Paris the 3d of September 1783, which were read.

#### M O N D A Y, DECEMBER 15, 1783.

Mr. J. T. Chafe, a delegate for Maryland, attended and produced credentials; whereby it appears, that on the 9th of this present month, Mr. John Hall and Mr. Jeremiah Townley Chafe, were duly elected additional members, to represent the said state in Congress.

Six states only attending, namely, Massachusetts, Rhode Island, Pennsylvania, Delaware, Virginia, and North-Carolina; and from the state of Maryland Mr. Chafe, and from New-Hampshire, Mr. Foster, the president adjourned Congress to 10 o'clock to morrow.

#### T U E S D A Y, DECEMBER 16, 1783.

Congress assembled. Present seven states, viz. Massachusetts, Rhode Island, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina; and from the state of New Hampshire, Mr. Foster.

The letters from the ministers of the United States, at foreign courts were read, and referred to a committee.

W E D N E S D A Y,



W E D N E S D A Y, DECEMBER 17, 1783.

Only six states attending, namely, Massachusetts, Rhode-Island, Pennsylvania, Delaware, Virginia and North-Carolina; and from the state of Maryland, Mr. Chase; the president adjourned Congress to ten o'clock to morrow.

T H U R S D A Y, DECEMBER 18, 1783.

Congress assembled. Present seven states, viz. Massachusetts, Rhode-Island, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina, and from the state of New-Hampshire, Mr. Foster.

Sundry letters and memorials were read, among which a letter of the 23d November, from the minister plenipotentiary of the United Netherlands, and a note respecting the capture and condemnation of the sloop Chester, and a letter of the 28th of October from governor Hancock, in behalf of the government of the commonwealth of Massachusetts, which were committed.

F R I D A Y, DECEMBER 19, 1783.

Congress assembled. Present as before; and from the state of South-Carolina, Mr. Read.

S A T U R D A Y, DECEMBER 20, 1783.

Congress assembled. Present as before.

A letter of this day from the commander in chief, was read, informing Congress of his arrival in this city, with the intention of asking leave to resign the commission he has the honor of holding in their service, and desiring to know their pleasure in what manner it will be most proper to offer his resignation—whether in writing or at an audience, whereupon

*Resolved*, That his excellency the commander in chief be admitted to a public audience, on Tuesday next, at twelve o'clock.

*Resolved*, That a public entertainment be given to the commander in chief on Monday next.

On motion of Mr. Monroe, seconded by Mr. M'Henry,

*Ordered*, That an authenticated copy of the act passed

by the United States in Congress assembled, the 13th of September last, relative to the act of the legislature of Virginia, of the 2d January, 1781, be transmitted by express, to the executive of Virginia.

M O N D A Y, DECEMBER 22, 1783.

Congress assembled. Present Massachusetts, Rhode-Island, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from the state of South-Carolina, Mr. Read.

T U E S D A Y, DECEMBER 23, 1783.

Congress assembled. Present as before.

On motion of Mr. Williamson, seconded by Mr. Jefferson,

*Resolved*, That letters be immediately dispatched to the executives of New-Hampshire, Connecticut, New-York, New-Jersey, South-Carolina and Georgia, informing them, that the safety, honor and good faith of the United States, require the immediate attendance of their delegates in Congress; that there have not been during the sitting of Congress at this place, more than seven states represented, namely, Massachusetts, Rhode-Island, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina, and most of those by only two delegates; and that the ratification of the definitive treaty and several other matters, of great national concern, are now pending before Congress, which require the utmost dispatch, and to which the assent of at least nine states is necessary.

According to order, his excellency the commander in chief was admitted to a public audience, and being seated, the president, after a pause, informed him, that the United States in Congress assembled, were prepared to receive his communications; whereupon he arose and addressed Congress as follows:

Mr. PRESIDENT,

T H E great events on which my resignation depended having at length taken place, I have now the honor of offering

offering my sincere congratulations to Congress, and of presenting myself before them, to surrender into their hands the trust committed to me, and to claim the indulgence of retiring from the service of my country.

Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States, of becoming a respectable nation, I resign with satisfaction the appointment I accepted with diffidence—a diffidence in my abilities to accomplish so arduous a task; which however was superseded by a confidence in the rectitude of our cause, the support of the supreme power of the union, and the patronage of heaven.

The successful termination of the war has verified the most sanguine expectations; and my gratitude for the interposition of Providence, and the assistance I have received from my countrymen, increases with every review of the momentous contest.

While I repeat my obligations to the army in general, I should do injustice to my own feelings not to acknowledge, in this place, the peculiar services and distinguished merits of the gentlemen who have been attached to my person during the war. It was impossible the choice of confidential officers to compose my family should have been more fortunate. Permit me, sir, to recommend in particular, those who have continued in the service to the present moment, as worthy of the favourable notice and patronage of Congress.

I consider it an indispensable duty to close this last act of my official life by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to his holy keeping.

Having now finished the work assigned me, I retire from the great theatre of action, and bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission, and take my leave of all the employments of public life.

He then advanced and delivered to the president his commission, with a copy of his address, and having resumed his place, the president returned him the following answer.

S I R,



SIR,

THE United States in Congress assembled receive, with emotions too affecting for utterance, the solemn resignation of the authorities under which you have led their troops with success through a perilous and a doubtful war. Called upon by your country to defend its invaded rights, you accepted the sacred charge, before it had formed alliances, and whilst it was without funds or a government to support you. You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power through all disasters and changes. You have, by the love and confidence of your fellow-citizens, enabled them to display their martial genius, and transmit their fame to posterity. You have persevered, till these United States, aided by a magnanimous king and nation, have been enabled, under a just Providence, to close the war in freedom, safety and independence; on which happy event we sincerely join you in congratulations.

Having defended the standard of liberty in this new world: having taught a lesson useful to those who inflict and to those who feel oppression, you retire from the great theatre of action, with the blessings of your fellow-citizens—but the glory of your virtues will not terminate with your military command, it will continue to animate remotest ages.

We feel with you our obligations to the army in general, and will particularly charge ourselves with the interests, of those confidential officers, who have attended your person to this affecting moment.

We join you in commending the interests of our dearest country to the protection of Almighty God, beseeching him to dispose the hearts and minds of its citizens, to improve the opportunity afforded them, of becoming a happy and respectable nation. And for you we address to him our earnest prayers, that a life so beloved, may be fostered with all his care; that your days may be happy as they have been illustrious; and that he will finally give you that reward which this world cannot give.

WEDNESDAY,

W E D N E S D A Y, DECEMBER 24, 1783.

Congress assembled. Present as before.

Mr. Hand, a delegate for Pennsylvania, attended and took his seat.

On motion of Mr. Jefferson, seconded by Mr. Howell, *Resolved*, That the postmaster general be, and he is hereby directed to give orders to his deputy, at the place where Congress is sitting, to furnish an extra post or posts whenever required by the president.

Pursuant to the order of the 10th of September last, the superintendant of finance and treasurer, laid before Congress an account of all the notes which have been issued by them on the credit of the United States, with an account of what part of those notes were in circulation, according to the state of the former on the 4th November, and of the latter on the 29th September, when their accounts are severally closed.

F R I D A Y, DECEMBER 26, 1783.

Congress assembled. Present as before.

Pursuant to the order of the 5th September, 1783, the superintendant of finance, as agent of marine, having caused the ship Alliance to be surveyed, reported the state she is in, and an estimate of the expence necessary to give her a good repair.

S A T U R D A Y, DECEMBER 27, 1783.

Congress assembled. Present as before.

M O N D A Y, DECEMBER 29, 1783.

Six states only attending, namely, Massachusetts, Rhode-Island, Pennsylvania, Delaware, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from the state of Maryland, Mr. Chase, the president adjourned Congress to ten o'clock to-morrow.

T U E S D A Y, DECEMBER 30, 1783.

Five states only attending, namely, Massachusetts, Penn-  
sylvania,

sylvania, Delaware, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, from Rhode-Island, Mr. Howell, from Maryland, Mr. Chase, and from South-Carolina, Mr. Read, the president adjourned Congress till to morrow at ten o'clock.

W E D N E S D A Y, DECEMBER 31, 1783.

Five states only attending, viz. Massachusetts, Pennsylvania, Delaware, Virginia and North Carolina; and from the state of New-Hampshire, Mr. Foster, from Rhode-Island, Mr. Howell, from Maryland, Mr. Chase, and from South Carolina, Mr. Read,—the president adjourned Congress till ten o'clock to morrow.

T H U R S D A Y, JANUARY 1, 1784.

Six states only attending, namely, Massachusetts, Rhode-Island, Pennsylvania, Delaware, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from the state of Maryland, Mr. Chase,—the president adjourned Congress till ten o'clock to morrow.

F R I D A Y, JANUARY 2, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from the state of South-Carolina, Mr. Read.

On the report of a committee consisting of Mr. Osgood, Mr. Lee and Mr. Morris, to whom was referred a memorial of Philip Moore :

*Resolved*, That the following form of sea letters be granted for the ship United States, belonging to the memorialist and others.

Most serene, serene, most puissant, puissant, high, illustrious, noble, honorable, venerable, wise and prudent Lords, Emperors, Kings, Republics, Princes, Dukes, Earls, Barons, Lords, Burgomasters, Schepens, Councillors, as also Judges, Officers, Justiciaries and Regents of all the good cities and places, whether ecclesiastical or secular, who shall see these patents or hear them read :

W E



WE the United States of America in Congress assembled, make known, That Mr. James Moore, supercargo of the ship called "The United States," of the burthen of three hundred tons, or thereabouts, at present navigated by captain Thomas Bell, is of the *United States of America*; and as we wish to see the said James Moore, supercargo, prosper in his lawful affairs, our prayer is to all the before mentioned, and to each of them separately, where the said James Moore shall arrive with his vessel and cargo, that they may please to receive the said supercargo with goodness, and to treat him in a becoming manner, permitting him, upon the usual tolls and expences in passing and repassing, to pass, navigate and frequent the ports, passes and territories, to the end, to transact his business where, and in what manner he shall judge proper.

In testimony whereof, &c.

SATURDAY, JANUARY 3, 1784.

Congress assembled. Present the same as yesterday.

A letter of the 17th December last, from Mr. F. Dana was read, informing Congress of his arrival at Boston, after a passage of 95 days, from Petersburg; and desiring to know whether it is the expectation of the Congress, that he should come on to the place of their sessions, and without loss of time to render a more particular account of his late mission.

Whereupon, on motion of Mr. Gerry, seconded by Mr. Read,

*Resolved*, That the president inform Mr. Dana, it is the desire of Congress to receive his communication, relative to his mission to the court of Russia, and to the disposition of that court towards the United States, as soon as the circumstances of his affairs, and the season shall admit of his attending Congress.

MONDAY, JANUARY 5, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from South Carolina, Mr. Read.

On motion of Mr. Ellery, seconded by Mr. Howell,

*Resolved*,



*Resolved*, That the election of the five committees, directed to be appointed on this day, by the resolution of the 17th June, 1782, be postponed till the first Monday in February next.

On the report of a committee consisting of Mr. Lee, Mr. Williamson and Mr. Ellery, to whom was referred a memorial from Gustavus Conyngham, praying for the renewal of a commission of captain in the navy of the United States, received from the commissioners in Paris, in 1777, and lost by him, or to be reinstated in his former situation.

*Resolved*, That the prayer of the said memorialist cannot be granted, such commissions being intended for temporary expeditions only, and not to give rank in the navy.

On the report of a committee, consisting of Mr. Ellery, Mr. Lee, Mr. Izard, Mr. Peters and Mr. M'Henry, to whom was referred a letter from the commander in chief, of the 28th August, containing a proposal from the secretary of the Polish Order of Knights of Divine Providence, that Congress should nominate a number of suitable persons to be created knights of the said order.

*Resolved*, That the late commander in chief, be requested to inform the chevalier Jean de Heintz, secretary of the order of Divine Providence, that Congress are sensible of the attention of that order, in proposing to them to nominate a number of suitable persons to be created knights of the order of Divine Providence; but that Congress cannot, consistently with the principles of the confederation, accept of their obliging proposal.

T U E S D A Y, JANUARY 6, 1784.

Congress assembled. Present the same as yesterday.

The committee consisting of Mr. Howell, Mr. Gerry and Mr. M'Comb, to whom was referred a letter of the 22d November, from the postmaster-general, with sundry papers enclosed therein, respecting the robbery of the mail at Princeton, report the following state of facts.

“ That about nine o'clock in the evening of the 30th of October last, the mail for the east ward was closed and  
laid

laid on the counter, in the post office,—that the post rider came into the office, and passed into a room adjoining, with the postmaster, leaving the mail on the counter, and a lighted candle near it, without any one in the office, the door leading into the street and the room adjoining being open—that under these circumstances some person entered the office at the front door, extinguished the candle and carried off the mail—that some days after the robbery of the mail, it was found in a meadow near Princeton, and returned to the general post office—that the mail contained a large packet of notes signed by Michael Hillegas, treasurer, and other valuable effects, none of which were missing; but that five or six letters were lost, and several franked by members of Congress were broke open. Upon which state of facts the committee conceive that the interests of individuals, the revenue of the post office, and the national honor are intimately concerned in the safety and preservation of the public mails, and of the letters, packets and dispatches committed to the post office." Whereupon

*Resolved*, That a copy of the letters and papers referred to the committee, be transmitted to the supreme executive of the state of New-Jersey, who are requested to order a strict enquiry into the conduct of John Harrison, postmaster at Princeton, and James Martin, post riders relative to the premises—to ascertain whether, and how far they were culpable in the loss of the mail—to discover if possible the perpetrators of the robbery and to transmit the result of such enquiry to Congress.

*Resolved*, That the postmaster-general, be directed to inform Congress, to whom the mail was delivered when found, and whose hands it passed through till lodged in the general post office; that he also be directed to give positive orders to the several postmasters, and post riders, to take the most effectual care of the letters, packets, dispatches and mails committed to them respectively, as any neglect or misconduct in that department will meet with no indulgence from Congress.

W E D N E S D A Y, JANUARY 7, 1784.

Congress assembled. Present as before.

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C

T H U R S D A Y,

THURSDAY, JANUARY 8, 1784.

Congress assembled. Present as before.

On motion of Mr. Howell, seconded by Mr. Ellery,

*Resolved*, That Monday next be assigned for the election of a chaplain to Congress.

On the report of a committee, consisting of Mr. Gerry, Mr. Lee and Mr. Chase, to whom was referred a memorial of Jan Hendrick Christian Heinekin, one of the agents of the Prussian ship Minerva, touching a decree of the court of appeals in cases of capture.

*Resolved*, That the memorial of Jan Hendrick Christian Heinekin, with the papers accompanying it, be referred to the judges of the court of appeals in cases of capture, to report to Congress as speedily as may be, the proceedings, proofs and judgment in the abovementioned cause.

On the report of a committee, consisting of Mr. Osgood, Mr. Lee and Mr. Tilton, to whom was referred a petition of Thomas Sudler, setting forth that his dwelling house was, on the 6th of February 1781, plundered and robbed by the British—and that he lost several continental certificates to the amount of two thousand three hundred dollars, exclusive of interest, which were dated about the 2d of March, 1779, and praying that certificates of the same tenor and date may be issued to him.

*Resolved*, That the certificates being made payable to the bearer, and probably at this time in circulation, the prayer of the petition cannot be granted.

On the report of a committee, consisting of Mr. Williamson, Mr. Tilton and Mr. Monroe, to whom were referred the memorial of captain Houdin, of the second Massachusetts regiment, and that of lieutenant Thacher of the same, praying for promotion.

*Resolved*, That the definitive treaty of peace being signed, nearly the whole of the army discharged, and the commander in chief having resigned his commission, it is inexpedient to make the promotion requested.

FRIDAY, JANUARY 9, 1784.

Congress assembled. Present as before.

On the report of a committee, consisting of Mr. Ellery,  
Mr.



Mr. Hand and Mr. Spaight, to whom was referred a memorial of the late major general Sullivan :

*Resolved*, That so much of the said memorial, as respects the payment of fifteen hundred dollars, granted to him by Congress, by their act of the 31st July, 1781. be referred to the superintendant of finance, to take order.

### SATURDAY, JANUARY 10. 1784.

Only six states attending, viz. Massachusetts, Pennsylvania, Delaware, Maryland, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from the state of Rhode-Island, Mr. Ellery—the president adjourned Congress till ten o'clock on Monday.

### MONDAY, JANUARY 12, 1784.

Congress assembled. Present Massachusetts Rhode-Island; Pennsylvania, Delaware, Maryland, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, and from the state of South-Carolina, Mr. Read.

*Ordered*, That the election of a chaplain, be postponed till Monday next.

### TUESDAY, JANUARY 13, 1784.

Congress assembled. Present as yesterday; and from the state of Connecticut, Mr. Sherman and Mr. Wadsworth, who produced credentials under the seal of the state; by which it appears, that at a general assembly of the governor and company of the said state, holden at New-Haven, on the second Thursday of October, 1783, the said assembly did appoint Roger Sherman, esquire, William Williams, esquire, James Wadsworth, esquire, and William Hilhouse, esquire, delegates to represent that state in the Congress of the United States of America, the year ensuing, in the room of Samuel Huntington, esquire, Oliver Wolcott esquire, Richard Law, esquire, and Oliver Ellsworth, esquire, resigned.

Mr. J. Beatty, a delegate for New-Jersey, attended and produced credentials; by which it appears, that in the state of New-Jersey, at Trenton, November 6, 1783, the council

council and assembly in joint meeting, proceeded, to the election of five delegates to represent that state in Congress, when

The honorable Jonathan Elmer, Silas Condict, John Stevens, John Beatty and Samuel Dick, esquires were duly elected, and empowered to represent and vote in behalf of that state in the Congress of the United States of North-America, until the fifth day of November next, unless a new appointment shall sooner take place.

The committee consisting of Mr. Ellery, Mr. Hand, Mr. Spaight, Mr. Jefferson and Mr. Lee, to whom was referred a letter of the 6th of November, from the legislature of New-Hampshire, on the subject of a memorial from the owners of the private armed vessel called the brig M'Clary, respecting the proceedings and sentence of the judges of the court of appeals in cases of capture, in the case of the brig Lufannah, captured by the said private armed vessel, called the brigantine M'Clary; together with a letter from Mr. J. Sullivan, agent for the proprietors of the said brig M'Clary, having made a report; and the said report, after debate, being postponed,

A motion was made by Mr. Gerry, seconded by Mr. Osgood,

That the further consideration of the report be postponed to the first Monday of April next; and that a copy of the memorial be transmitted to the present claimants of the brig Lufannah, to shew cause, if any they have, why the prayer of the said memorial should not be granted; and in the mean time that all proceedings in the sentence of the court of appeals, touching the premises, ought to be stayed.

A motion was made by Mr. Chase, seconded by Mr. Read, to strike out the latter part, viz, and in the mean time, &c. to the end.

And on the question, shall those words stand, the yeas and nays being required by Mr. Foster.

New-Hampshire,  
Massachusetts,

Rhode-Island,

Mr. Foster  
Mr. Gerry  
Mr. Partridge  
Mr. Osgood  
Mr. Ellery  
Mr. Howell

ay]•  
ay }  
ay } ay  
ay }  
ay } ay  
ay } ay

Connecticut,

Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-Jersey,	Mr. Beatty	no	} *
Pennsylvania,	Mr. Mifflin	ay	
	Mr. Hand	ay	} ay
Delaware,	Mr. Tilton	no	
	Mr. M'Comb	ay	} divided
Maryland,	Mr. Chase	no	
	Mr. Loyd	no	} no
Virginia,	Mr. Jefferson	ay	
	Mr. Lee	ay	} ay
	Mr. Monroe	no	
North-Carolina,	Mr. Spaight	ay	} *

So the question was lost, and the words were struck out.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no	} *
Massachusetts,	Mr. Gerry	ay	
	Mr. Partridge	ay	} ay
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	no	} *
Pennsylvania,	Mr. Mifflin	no	
	Mr. Hand	no	} no
Delaware,	Mr. Tilton	no	
	Mr. M'Comb	no	} no
Maryland,	Mr. Chase	ay	
	Mr. Loyd	no	} divided
Virginia,	Mr. Jefferson	ay	
	Mr. Lee	no	} no
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} *

So it passed in the negative.

W E D N E S D A Y, JANUARY 14, 1784.

Congress assembled. Present Massachusetts, Rhode-Island,



Island, Connecticut Pennsylvania, Delaware, Maryland, Virginia, North-Carolina and South-Carolina—Mr. Belford having this day taken his seat, and from the state of New-Hampshire, Mr. Foster, and from New Jersey, Mr. Beatty.

On the report of a committee, consisting of Mr. Jefferson, Mr. Gerry, Mr. Ellery, Mr. Read and Mr. Hawkins, to whom were referred the definitive treaty of peace between the United States of America and his Britannic majesty, and the joint letter of the 10th September, from Mr. Adams, Mr. Franklin and Mr. Jay.

*Resolved unanimously*, nine states being present, That the said definitive treaty be, and the same is hereby ratified by the United States in Congress assembled, in the form following.

The UNITED STATES in Congress assembled.

To all persons to whom these presents shall come, Greeting.

WHEREAS definitive articles of peace and friendship between the United States of America and his Britannic Majesty, were concluded and signed at Paris on the third day of September 1783, by the plenipotentiaries of the said United States, and of his said Britannic Majesty, duly and respectively authorized for that purpose; which definitive articles are in the words following.

“ In the name of the most holy and undivided Trinity.

“ IT having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the third, by the grace of God, king of Great-Britain, France and Ireland, defender of the faith, duke of Brunswick and Lunenburgh, arch-treasurer and prince elector of the holy Roman empire, &c. and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience,



as may promote and secure to both perpetual peace and harmony ; and having for this desirable end, already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great-Britain and France, and his Britannic Majesty should be ready to conclude such treaty accordingly ; and the treaty between Great-Britain and France having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles abovementioned, according to the tenor thereof, have constituted and appointed, that is to say, his Britannic Majesty on his part, David Hartley, esquire, member of the parliament of Great-Britain ; and the said United States on their part, John Adams, esquire, late a commissioner of the United States of America, at the court of Versailles, late delegate in Congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States to their High Mightinesses the States General of the United Netherlands ; Benjamin Franklin, esquire, late delegate in Congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles ; John Jay, esquire, late president of Congress, and chief justice of the state of New-York, and minister plenipotentiary from the said United States at the court of Madrid, to be the plenipotentiaries for the concluding and signing the present definitive treaty : who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

“ ARTICLE 1st. His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland,

Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free, sovereign and independent states: that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof:

“ARTICLE. 2d. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz from the north west angle of Nova Scotia; viz that angle which is formed by a line drawn due north from the source of Saint Croix river to the Highlands; along the said Highlands which divide those rivers that empty themselves into the river Saint Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Troquois or Cataraquy; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the lake Huron; thence through the middle of said lake to the water communication between that lake and lake Superior; thence through lake Superior northward of the isles, Royal and Philipeaux, to the long lake; thence through the middle of said long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of

of the river Apalachicola or Catahouche ; thence along the middle thereof to its junction with the Flint river ; thence straight to the head of Saint Mary's river ; and thence down along the middle of Saint Mary's river to the Atlantic Ocean. East by a line to be drawn along the middle of the river Saint-Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint Lawrence : comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic Ocean; excepting such islands as now are or heretofore have been within the limits of the said province of Nova Scotia.

ARTICLE. 3d. It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland ; also in the gulph of Saint Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish ; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that Island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America ; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE 4th. It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery



very of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE 5th. It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the Thirteen United States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons shall be restored to them; they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation. And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

“ARTICLE 6th. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for or by reason of the part which he or they may have taken in the present war; and that no person shall on that account, suffer any future loss or damage, either in his person, liberty or property; and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall

shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

“ARTICLE 7th. There shall be a firm and perpetual peace between his Britannic Majesty and the said states, and between the subjects of the one, and the citizens of the other, wherefore all hostilities both by sea and land, shall from henceforth cease; all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post, place and harbour within the same; leaving in all fortifications the American artillery that may be therein, and shall also order and cause all archives, records, deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

“ARTICLE 8th. The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great-Britain, and the citizens of the United States.

“ARTICLE 9th. In case it should so happen, that any place or territory belonging to Great-Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed that the same shall be restored without difficulty, and without requiring any compensation.

“ARTICLE 10th. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their ministers plenipotentiary, have in their name, and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

“DONE

“ DONE at Paris, this third day of September, in the year of our Lord, one thousand seven hundred and eighty-three.

“ (L. S.) D. HARTLEY, (L. S.) JOHN ADAMS,  
(L. S.) B. FRANKLIN,  
“ (L. S.) JOHN JAY.”

NOW KNOW YE, that We the United States in Congress assembled, having seen and considered the definitive articles aforesaid, have approved, ratified and confirmed, and by these presents do approve, ratify and confirm the said articles, and every part and clause thereof, engaging and promising, that we will sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner, as far as lies in our power.

In testimony whereof, we have caused the seal of the United States to be hereunto affixed. Witness his excellency THOMAS MIFFLIN, president, this fourteenth day of January, in the year of our Lord one thousand seven hundred and eighty-four, and in the eighth year of the sovereignty and independence of the United States of America.

On the question to agree to this, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	ay}*
Massachusetts,	Mr. Gerry	ay}
	Mr. Partridge	ay} ay
	Mr. Osgood	ay}
Rhode-Island,	Mr. Ellery	ay} ay
	Mr. Howell	ay}
Connecticut,	Mr. Sherman	ay} ay
	Mr. Wadsworth	ay}
New-Jersey,	Mr. Beatty	ay}*
Pennsylvania,	Mr. Mifflin	ay}
	Mr. Hand	ay} ay
	Mr. Morris	ay}
		Delaware,



Delaware,	Mr. Tilton	ay	} ay
	Mr. M'Comb	ay	
Maryland,	Mr. Chase	ay	} ay
	Mr. Loyd	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Kead	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

*Resolved*, That the said ratification be transmitted with all possible dispatch, under the care of a faithful person, to our ministers in France, who have negotiated the treaty, to be exchanged.

*Resolved*, That colonel Josiah Harmar, be appointed to carry the said ratification.

*Ordered*, That the superintendant of finance furnish colonel Harmar with money to defray his necessary expences.

*Resolved*, That a proclamation be immediately issued, notifying the said definitive treaty and ratification to the several states of the union, and requiring their observance thereof in the form following.

By the UNITED STATES in Congress assembled.

## A P R O C L A M A T I O N.

W H E R E A S definitive articles of peace and friendship between the United States of America and his Britannic Majesty, were concluded and signed at Paris, on the third day of September 1783, by the plenipotentiaries of the said United States and of his said Britannic Majesty, duly and respectively authorized for that purpose ; which definitive articles are in the words following.

[ Here the treaty is inserted as above ]

A N D

AND WE the United States in Congress assembled, having seen and duly considered the definitive articles aforesaid, did, by a certain act under the seal of the United States, bearing date this 14th day of January, 1784, approve, ratify and confirm the same, and every part and clause thereof, engaging and promising, that we would sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner, as far as should be in our power; and being sincerely disposed to carry the said articles into execution, truly, honestly and with good faith, according to the intent and meaning thereof, we have thought proper by these presents, to notify the premises to all the good citizens of these United States, hereby requiring and enjoining all bodies of magistracy, legislative, executive and judiciary, all persons bearing office, civil or military, of whatever rank, degree or powers, and all others the good citizens of these states, of every vocation and condition, that reverencing those stipulations entered into on their behalf, under the authority of that federal bond, by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world, and with that good faith which is every man's surest guide, within their several offices, jurisdictions and vocations, they carry into effect the said definitive articles, and every clause and sentence thereof, sincerely, strictly and completely.

GIVEN under the seal of the United States. Witness his excellency THOMAS MIFFLIN, our president, at Annapolis this fourteenth day of January, in the year of our Lord one thousand seven hundred and eighty four, and of the sovereignty and independence of the United States of America the eighth.

*Resolved unanimously, nine states being present, That it be, and it is hereby earnestly recommended to the legislature,*



signatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects ; and also of the estates, rights and properties of persons resident in districts, which were in the possession of his Britannic Majesty's arms, at any time between the 30th day of November 1782, and the 14th day of January 1784, and who have not borne arms against the said United States ; and that persons of any other description, shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated : And it is also hereby earnestly recommended to the several states, to reconsider and revise all their acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity, but with that spirit of conciliation, which, on the return of the blessings of peace, should universally prevail : And it is hereby also earnestly recommended to the several states, that the estates, rights and properties of such last mentioned persons should be restored to them, they refunding to any persons who may be now in possession, the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation.

*Ordered*, That a copy of the proclamation of this date, together with the recommendation, be transmitted to the several states by the secretary.

T H U R S D A Y, JANUARY 15, 1784.

Congress assembled. Present as yesterday

The committee consisting of Mr. Osgood, Mr. Williamson and Mr. Tilton, to whom was referred a memorial of the public creditors in the city and neighbourhood of Philadelphia, report that the said memorial sets forth that the general assembly of the state of Pennsylvania, did, on the

the 21st day of March last, pass an act authorizing and directing the treasurer thereof, to make and issue notes, and deliver the same to Thomas Smith, esquire, continental loan officer, to enable him to pay one year's interest on such of the said debts as are therein described, according to the directions of the United States in Congress assembled. That the said loan officer refuses the payment of the interest due to them on loan office certificates bearing date between the first day of September 1777, and the first day of March 1778, unless they consent to a liquidation of depreciation on the interest of this class of certificates, equal to that which is established for the principal on the final redemption—that this condition destroys the solemn contracts contained in the resolutions of the 10th of September 1777, and adhered to in the resolve of the 28th of June 1780, the first of which is, “that the interest which shall arise after the date of this resolution on loan office certificates, already issued, or which shall be issued before the first day of March next, be annually paid at the respective loan offices in bills of exchange on the commissioners of the United States in Paris, at the rate of five livres of France for every Spanish milled dollar, due for interest as aforesaid, or in continental bills of credit at the option of the respective lenders.” The other is, “that the interest on all loan office certificates at the rate of six per cent. per annum, computed on the principal ascertained as aforesaid, shall be discharged annually, in like manner as the principal, until the principal shall be paid; Provided nevertheless, that the same interest and mode of payment on certificates taken out before the first day of March 1778, shall be continued as at present, until the principal ascertained as aforesaid, be ready to be discharged.” That the memorialists in behalf of the said public creditors, pray Congress to give directions agreeably to the intentions of the above recited resolutions.

The committee farther report, that upon inspecting the journals of Congress, they find that Congress did on the 4th day of September 1782, resolve that 1,200,000 dollars be quotaed on the states as absolutely and immediately necessary for the payment of the interests of the public debts, but no directions are contained therein, relative

to the liquidating the interest by the scale of depreciation—that on the 9th of September 1782, Congress directed, “that no bill of exchange be issued for interest due on loan office certificates, since the first day of March last,” preceding. And the committee are of opinion, that the inability of Congress, to discharge the interests according to the promise, does not dissolve the same, that the creditors aforesaid are justly entitled to an equivalent, that the debt is created by the resolution of the 10th of September 1777, and that no subsequent resolution has invalidated the intention thereof: whereupon

*Resolved*, That the interest which has or may become due on loan office certificates, bearing date between the first day of September 1777, and the first day of March 1778, is not subjected to any depreciation.

On the report of the committee to whom was referred the letter from the postmaster general, of the 22d of November, with the papers enclosed, respecting the robbery of the mail at Princeton.

*Resolved*, That the president issue a proclamation offering a reward of three hundred dollars, to be paid out of the public treasury, and charged on the revenue of the post-office, to any person or persons who shall apprehend and secure in any of the goals in the United States, the perpetrator or perpetrators of the aforesaid robbery, so that he or they may be thereof legally convicted, and brought to condign punishment; and promising the same reward, with an indemnity to any person who being an accomplice, shall give information and evidence whereby any principal offender or offenders shall be convicted as aforesaid.

On motion of Mr. Read, seconded by Mr. Sherman,

*Resolved*, That a committee be appointed to devise ways and means for discharging that part of the public debt consisting of continental loan office certificates, issued between the first day of September 1777, and the first day of March 1778.

On motion of Mr. Gerry, seconded by Mr. Read,

*Resolved*, That a triplicate of the ratification of the definitive treaty, be sent to our ministers plenipotentiary, by lieutenant colonel David S. Franks, who is authorized



rized and directed to take passage in the first vessel which shall sail from any port eastward of Philadelphia, for France, or any port in the channel, in which neither of the instruments of the ratification, already forwarded, may be sent, provided such vessel shall sail before the 3d day of February next.

*Ordered*, That the superintendant of finance furnish lieutenant colonel David S. Franks, with money to defray his necessary expences in going and returning.

F R I D A Y, JANUARY 16, 1784.

Congress assembled. Present as before.

S A T U R D A Y, JANUARY 17, 1784.

Only six states being represented; namely, Rhode-Island, Connecticut, Pennsylvania, Delaware, Maryland and Virginia; and from the state of New-Hampshire, Mr. Foster, from Massachusetts, Mr. Osgood, from New-Jersey, Mr. Beatty, from North Carolina, Mr. Williamson, and from South-Carolina, Mr. Read—the president adjourned Congress till ten o'clock on Monday.

M O N D A Y, JANUARY 19, 1784.

Three states only attending; namely, Massachusetts, Pennsylvania and North Carolina; and from the state of Connecticut, Mr. Sherman, from Delaware, Mr. Tilton, from Maryland, Mr. Lloyd, and from Virginia, Mr. Jefferson—the president adjourned Congress till ten o'clock to morrow.

T U E S D A Y, JANUARY 20, 1784.

Only five states attending; viz. Rhode-Island, Connecticut, Pennsylvania, Maryland and Virginia; and from the state of New-Hampshire, Mr. Foster, from Massachusetts, Mr. Partridge, from New-Jersey, Mr. Beatty, from Delaware, Mr. Tilton, from North Carolina, Mr. Spaight, and from South-Carolina, Mr. Beresford—the president adjourned Congress to ten o'clock to morrow.

WEDNESDAY,



W E D N E S D A Y, JANUARY 21, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Maryland, Virginia and North-Carolina; and from the state of New Hampshire, Mr. Foster, from New Jersey, Mr. Beatty, from Delaware, Mr. Tilton, and from South-Carolina, Mr. Beresford.

The committee consisting of Mr. Ellery, Mr. Hand, Mr. Spaight, Mr. Jefferson and Mr. Lee, to whom was referred a letter of the 6th November, from the legislature of New-Hampshire, respecting the proceedings and sentence of the court of appeals in cases of capture, on the case of the ship *Lufannah*, having delivered in a report, the same was called for: whereupon,

A motion was made by Mr. Howell, seconded by Mr. Ellery,

That the report be postponed till the state of New-Hampshire, whose interests are thereby materially affected, shall be represented in Congress.

The report being as follows.

Your committee find, that by a resolution of Congress of November 25th, 1775, it was recommended to the legislatures of the several states, to erect courts for determining the cases of captures from the enemy on the high seas; and it was declared, that in all cases, an appeal should be allowed to Congress, or such persons as they should appoint for the trial of appeals.

That this resolution was complied with by the several states, some of them ceding appeals to Congress on a larger, and some on a more contracted scale; and New Hampshire particularly, by their act of assembly of 1776, allowing them only in cases of captures by armed vessels fitted out at the charge of the United States, and reserving the appeal in all other cases to the supreme court of their own state. That the course of Congress was, to appoint a committee for the trial of every special appeal, till the 30th day of January 1777, when a standing committee was appointed to hear and determine appeals, from the courts of admiralty in the respective states. That the brigantine *McClary*, a private armed vessel, owned by John Penhallow

Penhallow and others, citizens of New Hampshire, captured on the high seas, in the month of November 1777, the brigantine *Lufannah*, the subject of the present question, carried her into Piscataqua, in the state of New-Hampshire, and libelled her before the maritime court of the said state, whereon the said vessel and cargo were by the said court condemned.

That the claimants Elisha Doane and others, prayed an appeal to Congress, which being refused, they appealed to the superior court of New-Hampshire, where the sentence being confirmed they again prayed an appeal to Congress, which was refused, and the sentence carried into effect, by a sale and distribution of the vessel and cargo.

That on the 9th day of October 1778, the said Elisha Doane, petitioned Congress for a revision of the said sentence, which petition being referred to the committee of appeals, they, in May 1779, summoned the libellants to appear before them in defence of their right.

That on the 22d of the same month, Congress resolved, that certain resolutions of theirs, of March 6th, 1779, relative to their controul over all jurisdictions in cases of capture on the high seas, should be transmitted to the several states, and they be respectively requested to take effectual measures for conforming therewith. That they were accordingly transmitted to the state of New-Hampshire, the legislature whereof, by their act of November 1779, extended the licence of appeal to Congress, to every case wherein any subject of any foreign nation in amity with the United States, should be interested in the dispute, and allowed it no further. That in May 1780, a court of appeals was established by Congress, with jurisdiction over all matters respecting appeals in cases of capture, then depending before Congress, or the commissioners of appeals consisting of members of Congress. That all these transactions were prior to the completion of the confederation, which took place on the 1st day of March 1781. That on the 17th of September 1783, the court of appeals proceeded to consider the case of the said Elisha Doane, and others against the brigantine *Lufannah*, John Penhallow, libellant, and to reverse the said

said sentence passed by the inferior and superior courts of New Hampshire;—whereupon your committee have come to the following resolution.

*Resolved*, That the said capture having been made by citizens of New-Hampshire, carried in and submitted to the jurisdiction of that state, before the completion of the confederation, while appeals to Congress in such cases were absolutely refused by their legislature, neither Congress nor any persons deriving authority from them, had jurisdiction in the said case.

On the question for postponing as above, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no ]*
Massachusetts,	Mr. Gerry	no }
	Mr. Partridge	ay } no
	Mr. Osgood	no }
Rhode-Island,	Mr. Ellery	ay }
	Mr. Howell	ay } ay
Connecticut,	Mr. Sherman	no }
	Mr. Wadsworth	ay } divided
New-Jersey,	Mr. Beatty	ay ]*
Pennsylvania,	Mr. Mifflin	no }
	Mr. Hand	no } no
Delaware,	Mr. Tilton	ay ]*
Maryland,	Mr. Chase	ay }
	Mr. Loyd	ay } ay
Virginia,	Mr. Jefferson	ay }
	Mr. Monroe	ay } ay
North-Carolina,	Mr. Williamson	no }
	Mr. Spaight	ay } divided

So it passed in the negative.

After farther debate on the report, an adjournment was called for and agreed to.

T H U R S D A Y, JANUARY 22, 1784.

Congress assembled. Present as yesterday.

The committee consisting of Mr. Tilton, Mr. Lee and  
Mr.



Mr. Howell to whom was referred a petition of captain Paschke, report,

"That it appears, that captain Paschke, served as an officer in count Pulaski's legion, from the 14th March 1777, until the reduction of that corps, the 18th May 1780;—that on the 16th May 1780, Congress resolved, "that the sum of three thousand dollars currency of these states, and a bill of exchange for two hundred and fifty dollars specie, be paid to captain Paschke, late of count Pulaski's legion, (which being dissolved, Congress have no means of employing captain Paschke, though a deserving officer) to enable him to return to Europe."—That not chusing to cross the Atlantic during the war, he held appointments in the quartermasters department, in the southern army, until its dissolution the 13th July 1783: And that he has produced ample testimonials of his bravery, integrity, capacity and industry in the service of the United States: but as the definitive treaty of peace is ratified, nearly the whole of the army discharged, and the commander in chief has resigned his commission, it is inexpedient to make the promotion requested by captain Paschke.

*Resolved*, That Congress agree to the said report.

The committee consisting of Mr. Williamson, Mr. Osgood and Mr. Ellery, to whom was referred a letter of the 29th October 1783, from major general Du Portail, requesting some immediate payment for himself and other officers belonging to the late corps of engineers; also a letter from brigadier general Armand of the 15th instant, as well in behalf of himself and other officers belonging to the legionary corps late under his command, as of the said corps of engineers, report,

That the foreign officers lately in the service of the United States, who were not attached to the line of any particular state, complain of great and singular hardships under which they have labored during the late war. The pay which they received for a considerable time in depreciated money, was very unequal to their actual expences, nor could they be profited by the recommendations of Congress on the subject of depreciation, which afforded immediate relief to the rest of the army, because there  
was



was no state to which they could look for the balance of their pay, hence it followed that some of them have depended in a great measure for their support, on remittances from their friends in France, while others less fortunate, have contracted considerable debts in America.—That in their present situation they neither have the means of subsisting in America, nor of returning to their native country, unless some part of the money due them by the public shall be paid.” Whereupon

*Resolved*, That the superintendant of finance take order for paying to the foreign officers of the late corps of engineers, and to the foreign officers lately belonging to the legionary corps, commanded by brigadier general Armand, also to major Seconde, captain Beaulieu, late of general Pulaski's corps, and to captain Ponthiere, late aid to the baron Steuben, such sums on account of their pay as may be necessary to relieve them from their present embarrassments, and enable those in America to return to their native country.

On motion of Mr. Gerry, seconded by Mr. Williamson,

*Ordered*, That the commissary of military stores be directed not to dispose of any such stores without the express order of Congress.

Congress proceeded to the election of a chaplain, and the ballots being taken,

The reverend Mr. Daniel Jones was elected, having been nominated by Mr. Lee.

Mr. J. Montgomery, a delegate for Pennsylvania attended and took his seat.

## F R I D A Y, JANUARY 23, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina; and from the state of New-Jersey, Mr. Beatty, and from Delaware, Mr. Tilton.

On the report of a committee consisting of Mr. Jefferson, Mr. Lee and Mr. Williamson, to whom was referred a petition of Zebulon Butler, and others, claiming under the state of Connecticut, private right of soil with-

in

in the territory westward of the Delaware, formerly in controversy between the said state, and that of Pennsylvania, and lately determined by a court constituted and appointed agreeably to the ninth of the articles of confederation and perpetual union, to be within the jurisdiction of the state of Pennsylvania, complaining that they are disturbed in their right, by others claiming under the said state of Pennsylvania, and praying that a court may be instituted under the ninth article of the confederation, for determining the said right.

*Resolved*, That a court be instituted according to the said ninth article of the confederation, for determining the private right of soil within the said territory, so far as the same is by the said article, submitted to the determination of such a court.

That the fourth Monday in June next, be assigned for the appearance of the parties, by their lawful agents, before Congress, or the committee of the states, wheresoever they shall be then sitting.

That notice of the assignment of the said day, be given to the parties in the following form.

**T**O the claimants of the private right of soil within the territory westward of the Delaware, heretofore in controversy between the states of Connecticut and Pennsylvania, and adjudged by the sentence of a court, constituted and appointed agreeably to the ninth of the articles of confederation and perpetual union, to be within the jurisdiction of the state of Pennsylvania, it is hereby made known,

That sundry individuals claiming private right of soil, under the state of Connecticut, within the said territory, have made application to Congress, stating that they have been disturbed in their said right of soil, by others claiming under the state of Pennsylvania; and praying for the institution of a court for determining the said private right of soil, in pursuance of the ninth article of confederation: And that the fourth Monday in June next, is assigned for the appearance of the parties, by the lawful agents, before Congress, or a committee of the states, wheresoever they

they shall be then sitting, to proceed in the premises as by the confederation is directed.

By order of Congress,

CHARLES THOMSON, Sec'y.

*Resolved*, That the said notice be transmitted by the secretary, to the executives of the states of Connecticut and Pennsylvania, with a request that they take proper measures for having the same served on the parties interested under their states respectively.

MONDAY, JANUARY 26, 1784.

Congress assembled. Present as before.

On motion of Mr Howell, seconded by Mr. Lee,

*Ordered*, That the secretary deliver to Josiah Hewes, one of the directors of the library company of Philadelphia, two sets of the journals of Congress, neatly bound for the use of the said library company.

On the report of a committee consisting of Mr. Williamson, Mr. Tilton and Mr. Monroe, to whom were referred a memorial of Joseph Ward, and a petition of R. Frothingham.

*Resolved*, That half pay cannot be allowed to any officer, or to any class or denomination of officers, to whom it has not heretofore been expressly promised.

TUESDAY, JANUARY 27, 1784.

Three states only attending; namely, Massachusetts, Connecticut and North Carolina; and from the state of Pennsylvania, Mr. Miffin, and from the state of South-Carolina, Mr. Read—the president adjourned Congress till ten o'clock to morrow.

WEDNESDAY, JANUARY 28, 1784.

Five states only attending; namely, Massachusetts, Rhode-Island, Connecticut, Pennsylvania and North Carolina; and from the state of New-Hampshire, Mr. Foster,



from New-Jersey, Mr. Beatty, from Delaware, Mr. Tilton, from Maryland, Mr. Chase, from Virginia, Mr. Monroe, and from South-Carolina, Mr. Beresford—the president adjourned Congress till ten o'clock to morrow.

T H U R S D A Y, JANUARY 29, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Maryland, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, from New Jersey, Mr. Beatty, from Delaware, Mr. Tilton, and from South-Carolina, Mr. Beresford.

On the report of a committee consisting of Mr. Lee, Mr. Jefferson and Mr. Osgood, to whom was referred a letter of the 20th December, 1783, from J. Carlton, secretary in the war office.

*Resolved*, That the secretary in the war office be, and he is hereby authorized and directed, to issue such commissions for promotions obtained in 1782, and such brevet commissions under the act of Congress of the 30th September 1783, and other subsequent resolves as have not been issued—to issue warrants on the paymaster in favor of officers who were of the lines southward of Maryland, for such rations retained in October, November and December 1782, as have not yet been settled for, and for pay and subsistence advanced to the army since the first day of January last—to make monthly estimates for the government of the superintendant of finance, of subsistence for the officers retained in service.

*Resolved*, That regular returns of military stores and of the troops retained in service, be made to the war office.

On the report of a committee consisting of Mr. Hand, Mr. Tilton and Mr. Williamson, to whom was referred a motion of Mr. Hand.

*Resolved*, That the principals in the several departments of quartermaster general, commissary of military stores, cloathier, and of the hospital be, and they are hereby ordered to transmit as soon as may be to the war office, to be laid before Congress, exact returns of all the stores in



in their respective departments, specifying the quantity and quality of each article, where deposited, in whose care, and in what manner secured.

*Ordered,* That Mr. Joseph Carlton, secretary in the war office, take the speediest and most effectual method of conveying the foregoing resolution to which persons as are affected thereby, in any part of the United States.

On the report of a committee consisting of Mr. Jefferson, Mr. Osgood and Mr. Williamson, to whom were referred a letter of the 25th December, 1783, from John Allan, and the papers therein enclosed.

*Resolved,* That a copy of the said letter be sent to the governor of Massachusetts, with a recommendation, that he cause enquiry to be made, whether the encroachments therein suggested, have been actually made on the territories of the state of Massachusetts, by the subjects of his Britannic Majesty, from the government of Nova-Scotia, and if he shall find any such to have been made, that he send a representation thereof to the British governor of Nova-Scotia, with a copy of the proclamation of the United States of the 14th inst. which is to be enclosed to the governor of Massachusetts for that purpose, requesting him in a friendly manner, and as a proof of that disposition for peace and harmony which should subsist between neighbouring states, to recall from off the said territory, the said subjects of his Britannic Majesty, so found to have encroached thereon; and that the governor of Massachusetts be requested to inform Congress of his proceedings herein, and the result thereof.

The report of the committee, on a letter of the 6th of November, from the legislature of New Hampshire, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig *Luzannah*, having been called for, and the same being read as entered on the journal of the 21st instant.

A motion was made by Mr. Howell, seconded by Mr. Hand,

That the consideration thereof be postponed; and on the question for postponing, the yeas and nays being required by Mr. Foster.

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New-Hampshire,	Mr. Foster	no]*
Massachusetts,	Mr. Partridge	ay } ay
	Mr. Osgood	ay }
Rhode-Island,	Mr. Ellery	ay }
	Mr. Howell	ay }
Connecticut,	Mr. Sherman	ay }
	Mr. Wadsworth	ay }
New-Jersey,	Mr. Beatty	ay]*
Pennsylvania,	Mr. Mifflin	ay }
	Mr. Montgomery	ay }
	Mr. Hand	ay }
Delaware,	Mr. Tilton	ay]*
Maryland,	Mr. Chase	ay }
	Mr. Loyd	ay }
Virginia,	Mr. Jefferson	ay }
	Mr. Lee	no } ay
	Mr. Monroe	ay }
North-Carolina,	Mr. Williamson	ay }
	Mr. Spaight	ay }
South-Carolina,	Mr. Beresford	ay]*

So it was resolved in the affirmative.

FRIDAY, JANUARY 30, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina; and from the state of New-Hampshire, Mr. Foster, from New-Jersey, Mr. Beatty, and from Delaware, Mr. Tilton.

On the report of a committee consisting of Mr. Osgood, Mr. Hardy and Mr. Ellery, to whom was referred a letter of the 20th December, 1783, from the superintendant of finance, enclosing two contracts made between the board of war and Mr. James Byers, and a proposition made by the said James Byers, on compliance with which he is willing to relinquish his contract.

*Resolved*, That the proposal of Mr. James Byers, contained in the letter of the 20th December 1783, from the superintendant of finance cannot be complied with.

*Resolved*, That the superintendant of finance propose to Mr. James Byers, in behalf of the United States, a mutual

mutual relinquishment of right and title to services and salary, and in case Mr. Byers, shall not assent to the proposition, that the commissary of military stores, give him such directions as he is obliged to conform to by his contract.

On the report of a committee consisting of Mr. Beatty, Mr. Wadsworth and Mr. Osgood, to whom was referred a memorial of Calvin Partridge, administrator to the estate of the late colonel Alden, and guardian to the children he left, praying that he may be enabled to draw four year's pay now due to the widow of the deceased.

*Resolved*, That as Congress by their act of the 24th August 1780, have made provision for the widows of deceased officers, and in case there be no widow, or of her intermarriage, for the children of the deceased officer, it is inexpedient at present to alter the mode prescribed for the payment of the half pay therein promised.

On the report of a committee consisting of Mr. Monroe, Mr. Partridge and Mr. Williamson, to whom was referred a letter of the 23d December 1783, from Daniel Parker, stating that a ship called, "The Empress of China," will shortly sail from New-York, for Canton in China, under the command of captain John Green, and requesting sea letters for said Green.

*Resolved*, That sea letters be granted for said captain John Green, in the form following.

Most serene serene, most puissant puissant, high, illustrious, noble, honorable, venerable, wise and prudent Emperors, Kings, Republics, Princes, Dukes, Earls, Barons, Lords, Burgomasters, Councillors as also Judges, Officers, Justiciaries, and Regents of all the good cities and places, whether ecclesiastical or secular, who shall see these patents or hear them read.

We the United States in Congress assembled, make known, that John Green, captain of the ship called the Empress of China, is a citizen of the United States of America, and that the ship which he commands belongs to citizens of the said United States, and as we wish to see the said John Green, prosper in his lawful affairs, our prayer is to all the before mentioned, and to each of them separately,



separately, where the said John Green shall arrive with his vessel and cargo, that they may please to receive him with goodness, and treat him in a becoming manner, permitting him upon the usual tolls and expences in passing and repassing, to pass, navigate and frequent the ports, passes and territories, to the end to transact his business where and in what manner he shall judge proper, whereof we shall be willingly indebted.

In testimony whereof &c. &c.

MONDAY, FEBRUARY 2, 1784.

Congress assembled. Present Massachusetts, Connecticut, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina; and from the state of New-Hampshire, Mr. Foster, from Rhode-Island, Mr. Ellery, from New-Jersey, Mr. Beatty, and from Delaware, Mr. Tilton.

TUESDAY, FEBRUARY 3, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Maryland, Virginia, North-Carolina and South Carolina; and from the state of New-Hampshire, Mr. Foster, from New-Jersey, Mr. Beatty, and from Delaware, Mr. Tilton.

The committee consisting of Mr. Chase, Mr. Hand and Mr. Sherman, to whom was referred a letter of the 29th January, from J. Carlton, secretary in the war office, stating that on the final adjustment of his accounts, as paymaster to the late board of war and ordnance, there remains a balance of three hundred and twenty dollars due from him to the United States, report,

“That they find upwards of sixty millions of dollars passed through the hands of Mr. Carlton in his negotiations, and in the opinion of the committee, the loss of three hundred and twenty dollars, in the course of business of such extent, is very inconsiderable, and cannot be imputed to want of fidelity or neglect, but to unavoidable casualty:” Whereupon

*Resolved*, That the register of the treasury be and he is

is hereby directed in the settlement of the account of the said Joseph Carlton, to credit him with three hundred and twenty dollars for the loss thus by him sustained.

On the report of a committee consisting of Mr. Beatty, Mr. Hand and Mr. Tilton, to whom was referred a letter of the 19th January, from lieutenant colonel Murnan, of the corps of engineers, desiring leave to resign.

*Resolved*, That the resignation of lieutenant colonel Murnan be accepted.

*Resolved*, That Congress entertain a due sense of lieutenant colonel Murnan's abilities and services ; and that the secretary deliver him a copy of this act, as a testimony of their approbation of his conduct.

On the report of a committee consisting of Mr. Sherman, Mr. Osgood and Mr. Read, to whom was referred a motion of Mr. Gerry, respecting the papers belonging to the office for foreign affairs.

*Resolved*, That an under secretary be appointed to take the charge of the papers belonging to the office for foreign affairs, until the further order of Congress : And that the said under secretary, make and lay before Congress, a list of the said papers.

*Ordered*, That Thursday next be assigned for the election of the said under secretary.

On the report of a committee consisting of Mr. Hand, Mr. Howell and Mr. Williamson, to whom was referred a letter from brigadier general Armand, in behalf of the foreign officers of the corps of engineers, the legionary corps, &c.

*Resolved*, That the superintendant of finance be, and he is hereby directed to take measures as far as may be consistent with the finances of the United States, for remitting annually to the foreign officers of the late corps of engineers, the legionary corps lately commanded by brigadier general Armand, to major Seconde and captain Beaulieu, late of general Pulaski's corps, and to captain Ponthiere, late aid de camp to baron Steuben, the interest of such sums as may remain due to them respectively after the payments which shall have been made to them in consequence of the resolution of the 22d of January last.

WEDNESDAY

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W E D N E S D A Y, FEBRUARY 4, 1784.

Six states only attending; viz. Rhode-Island; Connecticut; Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the state of New-Hampshire, Mr. Foster, from Massachusetts, Mr. Partridge, from New-Jersey, Mr. Beatty, from Delaware, Mr. Tilton, and from Maryland, Mr. Chase—the president adjourned Congress till ten o'clock to-morrow.

T H U R S D A Y, FEBRUARY 5, 1784.

Six states only attending; viz. Massachusetts, Connecticut, Pennsylvania, Maryland, Virginia and North-Carolina; and from the state of New-Hampshire, Mr. Foster, from Rhode-Island, Mr. Howell, from New-Jersey, Mr. Beatty, from Delaware, Mr. Tilton, and from South-Carolina, Mr. Beresford—the president adjourned Congress to ten o'clock to-morrow.

F R I D A Y, FEBRUARY 6, 1784.

Congress assembled. Present Massachusetts, Connecticut, Pennsylvania, Maryland, Virginia, North-Carolina, and South-Carolina; and from the state of Rhode-Island, Mr. Ellery, from New-Jersey Mr. Beatty, and from Delaware, Mr. Tilton.

On the report of a committee consisting of Mr. Williamson, Mr. Read and Mr. Hand, to whom was recommended a report on a letter of the 22d January, from brigadier general Armand, and a letter from the honorable the minister of France.

*Resolved*, That the commissions of major by brevet, be issued to captain De Bert, Le Brun and M. G. Houdin; and the commissions of captain by brevet, be issued to lieutenant Verdier, Fontivieux, Le Roy and Marcellin.

On the report of a committee consisting of Mr. Hand, Mr. Spaight and Mr. Tilton, to whom was referred a letter from major F. J. S. de Brahm,

*Resolved*, That a brevet commission of lieutenant colonel, be issued to major de Brahm, of the late corps of engineers, and that he be informed, that his further services are dispensed with.

*Ordered*, That the order of the day for electing an under



der secretary to take charge of the papers in the office for foreign affairs, be postponed to Tuesday next.

## S A T U R D A Y, F E B R U A R Y 7, 1784.

Five states only attending, viz. Massachusetts, Rhode-Island, Connecticut, Pennsylvania and North-Carolina; and from the state of New-Hampshire Mr. Foster, from New Jersey Mr. Beatty, from Delaware Mr. Tilton, from Maryland Mr. Chase, and from Virginia Mr. Lee—the president adjourned Congress to ten o'clock on Monday.

## M O N D A Y, F E B R U A R Y 9, 1784.

Six states only attending, viz. Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia and North-Carolina; and from the state of New-Hampshire Mr. Foster from New-Jersey Mr. Beatty, from Delaware Mr. Tilton, and from Maryland Mr. Chase the—president adjourned Congress till ten o'clock to morrow.

## T U E S D A Y, F E B R U A R Y 10, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from New-Hampshire Mr. Foster; from New-Jersey Mr. Beatty, from Delaware Mr. Tilton and from Maryland Mr. Chase.

On the report of a committee consisting of Mr. Lee, Mr. Williamson, Mr. Hand, Mr. Read and Mr. Gerry, to whom were referred a report on letters of 16th and 30th December, from general P. Schuyler, and a motion of Mr. Read thereon.

*Resolved*, That general Schuyler be, and he is hereby directed to expedite the return of the deputation from the late hostile tribes of Indians, with information to their constituents, that due notice shall be given them of the time and place where Congress will hold a meeting, for settling a general treaty with the Indian nations, which meeting they may rest satisfied will be held as soon as the season and other necessary circumstances will permit. In the mean time the Indian tribes may be assured of the

protection of the United States, so long as they continue in the peaceable disposition which they now manifest, and which is highly pleasing to Congress.

*Ordered*, That the election of an under secretary, to take charge of the papers in the office for foreign affairs, be postponed till to morrow.

W E D N E S D A Y, FEBRUARY 11, 1784.

Congress assembled. Present as yesterday.

*Ordered*, That the election of an under secretary, to take charge of the papers in the office for foreign affairs, be farther postponed till to morrow.

On motion of Mr. Gerry, seconded by Mr. Lee,

*Ordered*, That to morrow be assigned for electing a deputy secretary.

The committee consisting of Mr. Ellery, Mr. Jefferson and Mr. Lee, to whom was referred a note from the honorable the minister of France, dated the 30th January, informing that his most christian Majesty, from a desire to favour the progress of commerce between his realm and these United States, has nominated four consuls and five vice consuls, to reside in the towns of the continent where he has judged their presence to be necessary; and that he has appointed Mr. de Marbois consul general for the thirteen United States, report, that they have conferred with Mr. de Marbois, who produced to them four commissions for the said consuls, and five brevets for the vice consuls; whereby it appears, that the sieur de Marbois, is appointed consul general of France for the thirteen United States of America; the sieur de l'Etombe, consul of France for the states of New-Hampshire, Massachusetts and Rhode Island; the sieur de St. Jean de Crevecoeur, consul of France for the states of Connecticut, New-York and New Jersey; the said sieur de Marbois consul of France for the states of Pennsylvania and Delaware, and the Chevalier Dannemours consul of France for Maryland and Virginia: also that the sieur Toscan, is appointed vice consul at Portsmouth in New-Hampshire; the sieur de Marbois, vice consul at Rhode-Island; the sieur Oster vice consul at Richmond in Virginia; the sieur Petry, vice

vice consul at Wilmington in North-Carolina, and the fleur de la Forêt vice consul at Savannah in Georgia. Whereupon,

*Resolved*, That the commissions and brevets of the said officers, be registered in the secretary's office; and that thereupon acts of recognition in due form be immediately issued to the states concerned, in order that they may furnish them respectively with their exequatur or notification of their quality, that the same may be made known and published.

On the report of a committee consisting of Mr. Chase, Mr. Williamson and Mr. Partridge, to whom were referred petitions of captains Gosselin, Olivier and Leibert, Canadian officers, lately in the regiment commanded by brigadier general Hazen, requesting that they may be furnished with money in payment for sundry articles with which they supplied the troops of the United States in Canada.

*Resolved*, That the Canadian officers, be furnished with a copy of the act of August 9, 1783; and that the commissioner therein referred to, be required to give dispatch to the settlement of the accounts of those officers.

The committee consisting of Mr. Williamson, Mr. Monroe and Mr. Sherman, to whom was referred a letter of 20th January last, from J. Pierce, paymaster general, respecting claims which have been made by certain officers to half pay and the commutation for half pay, report,

That by a resolve of November 24th, 1778, it was provided, that all deranged officers should be entitled to one year's pay; and it was further provided, that officers who had been prisoners with the enemy, and then were, or thereafter might be exchanged, should, if appointed by the authority of the state, be entitled to return into the service in the same rank they would have had if they had not been captured, under certain restrictions, and that they should receive half pay till the time of their entering again into the service, under this act; certain officers claim half pay to the end of the war, and the commutation for half pay from that period during life. On which the committee observe, that the half pay first mentioned was  
promised



promised as a temporary support to such officers as should be re-appointed by their respective states, and to none besides; and that all other continental officers who have been prisoners with the enemy, and deranged, are entitled to one year's pay, and nothing besides. That such was the intention of Congress, is explained by the subsequent acts of May 22d, 1779, and May 26th, 1781. There is no act under which those officers can claim the commutation for half pay. It is provided by a resolve of the 28th June, 1782, "That there shall be such additional pay and emoluments to the pay of captains and subalterns serving as aids de camp to major and brigadier generals, and to brigade majors, as shall make their pay and emoluments equal to the pay and emoluments of a major in the line of the army." Under this resolution, certain aids and brigade majors, who are captains or subalterns in the line, claim commutation equal to that of a major in the line. This claim appears for sundry reasons to be ill founded. The offices which those gentlemen held out of the line, were temporary, and the additional pay and emoluments were certainly promised to them while they continued to serve in those offices, and no longer. If they are supposed to found their claim to the commutation of a major, under the head of additional emoluments, their claim must be ill founded: for it is clear from the terms of the resolution, that pay and emoluments do not signify the same thing, but the commutation is the substitute for pay alone or half pay, and not for rations nor any other emolument. On the whole the committee are of opinion, that the paymaster general in settling the accounts of the army, in all claims which may be brought for half pay or commutation, should be determined by the act of the 26th of January, 1784."

*Resolved*, That Congress agree to the said report.

On motion of Mr. Gerry, seconded by Mr. Howell,

*Ordered*, That attested copies of the proceedings of Congress of the first of November last, for procuring a full representation in Congress, be forthwith transmitted to the supreme executives of the respective states.

T H U R S D A Y,

## THURSDAY, FEBRUARY 12, 1784.

Five states only attending, viz. Massachusetts, Rhode-Island, Connecticut, North-Carolina and South Carolina; and from the state of Pennsylvania Mr. Mifflin, from Delaware Mr. Tilton, from Maryland Mr. Chase, and from Virginia, Mr. Monroe—the president adjourned Congress till ten o'clock to morrow.

## FRIDAY, FEBRUARY 13, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the state of New-Jersey Mr. Beatty, from Delaware Mr. Tilton, and from Maryland Mr. Chase.

## MONDAY, FEBRUARY 16, 1784.

Five states only attending, viz. Massachusetts, Rhode-Island, Connecticut, Pennsylvania and Virginia; and from the state of New-Hampshire Mr. Foster, from New-Jersey Mr. Beatty, from Delaware Mr. Tilton, from Maryland Mr. Chase, from North-Carolina Mr. Williamson, and from South-Carolina Mr. Beresford—the president adjourned Congress till ten o'clock to morrow.

## TUESDAY, FEBRUARY 17, 1784.

Six states only attending, namely, Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia and South-Carolina; and from the state of New-Hampshire Mr. Foster, from New-Jersey Mr. Beatty, from Delaware Mr. Tilton, from Maryland Mr. Chase, and from North-Carolina Mr. Williamson—the president adjourned Congress till ten o'clock to morrow.

## WEDNESDAY, FEBRUARY 18, 1784.

Six states only attending, namely, Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia and South

South-Carolina; and from the state of New-Hampshire Mr. Foster, from Maryland Mr. Chase, and from North-Carolina Mr. Williamson—the president adjourned Congress till ten o'clock to morrow.

#### THURSDAY, FEBRUARY 19, 1784.

Six states only attending, viz. Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia and South-Carolina; and from the state of New-Jersey Mr. Beatty, from Delaware Mr. Tilton, from Maryland Mr. Chase, and from North-Carolina Mr. Williamson—the president adjourned Congress till ten o'clock to morrow.

#### FRIDAY, FEBRUARY 20, 1784.

The same states only and the same members attending as yesterday, the president adjourned Congress till ten o'clock to morrow.

#### SATURDAY, FEBRUARY 21, 1784.

Only the same states and same members attending as yesterday, the president adjourned Congress till ten o'clock on Monday.

#### MONDAY, FEBRUARY 23, 1784.

Six states only attended, namely, Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia and North-Carolina; and from the state of New-Hampshire Mr. Foster, from New-Jersey Mr. Beatty, from Maryland Mr. Chase, and from South-Carolina, Mr. Read.

Mr. Abiel Foster delivered in credentials of his appointment, certifying that on the 26th of December last, he was appointed a delegate to represent the state of New-Hampshire in Congress, until the first Monday in November next.

The president adjourned Congress till ten o'clock to morrow.

#### TUESDAY,



## TUESDAY, FEBRUARY 24, 1784.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the state of New-Hampshire Mr. Foster, from New-Jersey Mr. Beatty, from Delaware Mr. Tilton, and from Maryland Mr. Chase.

On motion of Mr. Beatty, seconded by Mr. Read,

*Resolved*, That the instruction of the 22d January last to the Superintendent of finance, in favour of certain foreign officers, be considered by him as extending, and it is hereby extended to major Anthony Selin, late of general Hazen's regiment.

On the report of a committee consisting of Mr. Lee, Mr. Sherman and Mr. Read, to whom was referred a letter of 31st January from the governor of the state of New-York.

*Resolved*, That the president inform the governor of the state of New-York, in answer to his letter of 31st January 1784, that nine states not having been represented but for a few days since the adjournment of Congress to this place, the arrangement of garrisons for the western and northern posts has not been entered upon, nor can it be considered till the states become more attentive to keeping up a full representation in Congress.

The order of the day being called for, to elect an under secretary in the office for foreign affairs, and a deputy secretary, Congress proceeded to an election, but not coming to a choice,

*Ordered*, That the order for electing an under secretary and a deputy secretary be postponed.

## WEDNESDAY, FEBRUARY 25, 1784.

Mr. Samuel Dick a delegate for New-Jersey attended.

Congress assembled. Present Massachusetts, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the state of New-Hampshire Mr. Foster, from Delaware Mr. Tilton, and from Maryland Mr. Chase.

The order for electing an under secretary in the office for foreign affairs, and a deputy secretary, was taken up, but Congress not coming to a choice. On

On motion of Mr. Read, seconded by Mr. Montgomery,

*Resolved*, That the order for electing an under secretary in the office for foreign affairs. and a deputy secretary, be postponed till Tuesday next.

On motion of Mr. Gerry, seconded by Mr. Read,

*Resolved*, That Friday next be assigned for electing a secretary for foreign affairs.

On motion of Mr. Williamson, seconded by Mr. Montgomery,

*Resolved*, That the superintendant of finance take order for advancing to captain Gofelin, captain Olive and captain Leibert, Canadian officers, severally one hundred dollars on account of pay.

## THURSDAY, FEBRUARY 26, 1784.

Congress assembled. Present Massachusetts, Rhode Island, Connecticut, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the state of New-Hampshire Mr. Foster, from Delaware Mr. Tilton, and from Maryland Mr. Chase.

On motion of Mr. Gerry, seconded by Mr. Williamson,

*Resolved*, That a standing committee of qualifications be appointed to examine the commissions or credentials of the members that are or may be in Congress till the first Monday of November next, and to report thereon from time to time to Congress.

On motion of Mr. Foster, seconded by Mr. Beatty,

*Resolved*, That the resolution of yesterday, directing the superintendant of finance to take order for advancing to several Canadian officers one hundred dollars each, on account of pay, be, and it hereby is extended to lieutenant Germaine Dreme of the same corps.

On the report of a committee consisting of Mr. Tilton, Mr. Monroe and Mr. Wadsworth, to whom was referred a motion of Mr. Howell.

*Resolved*, That it be recommended to the state of Rhode-Island and Providence Plantations, to make good the depreciation of the monthly pay of Samuel Sanford, late an  
ensign

form of a deed proposed to be executed pursuant to the said act, in the words following.—

TO ALL who shall see these presents, We Thomas Jefferson, Samuel Hardy, Arthur Lee and James Monroe, the underwritten delegates for the commonwealth of Virginia, in the Congress of the United States of America, send greeting.

W H E R E A S the general assembly of the commonwealth of Virginia, at their sessions begun on the 20th day of October, 1783, passed an act entitled, “ An act to authorize the delegates of this state in Congress, to convey to the United States in Congress assembled, all the right of this commonwealth, to the territory northward of the river Ohio,” in these words following, to wit:

“ Whereas the Congress of the United States did, by their act of the sixth day of September, in the year one thousand seven hundred and eighty, recommend to the several states in the union, having claims to waste and unappropriated lands in the western country, a liberal cession to the United States, of a portion of their respective claims, for the common benefit of the union: And whereas this commonwealth did, on the second day of January, in the year one thousand seven hundred and eighty one, yield to the Congress of the United States, for the benefit of the said states, all right, title and claim which the said commonwealth had to the territory north-west of the river Ohio, subject to the conditions annexed to the said act of cession. And whereas the United States in Congress assembled have, by their act of the thirteenth of September last, stipulated the terms on which they agree to accept the cession of this state, should the legislature approve thereof, which terms, although they do not come fully up to the propoitions of this commonwealth, are conceived on the whole, to approach so nearly to them, as to induce this state to accept thereof, in full confidence, that Congress will in justice to this state, for the liberal cession she hath made, earnestly press upon the other states claiming large tracts of waste and uncultivated territory,



ritory, the propriety of making cessions equally liberal, for the common benefit and support of the union. Be it enacted by the general assembly, That it shall and may be lawful for the delegates of this state, to the Congress of the United States, or such of them as shall be assembled in Congress, and the said delegates, or such of them so assembled, are hereby fully authorized and empowered, for and on behalf of this state, by proper deeds or instrument in writing, under their hands and seals, to convey, transfer, assign and make over unto the United States in Congress assembled, for the benefit of the said states, all right, title and claim, as well of soil as jurisdiction, which this commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying and being to the northwest of the river Ohio, subject to the terms and conditions contained in the before recited act of Congress, of the thirteenth day of September last; That is to say, upon condition that the territory so ceded, shall be laid out and formed into states, containing a suitable extent of territory, not less than one hundred, nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit: And that the states so formed, shall be distinct republican states, and admitted members of the federal union; having the same rights of sovereignty, freedom and independence, as the other states.—That the necessary and reasonable expences incurred by this state, in subduing any British posts, or in maintaining forts or garrisons within, and for the defence, or in acquiring any part of the territory so ceded or relinquished, shall be fully reimbursed by the United States: And that one commissioner shall be appointed by Congress, one by this commonwealth, and another by these two commissioners, who or a majority of them shall be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expences incurred by this state, which they shall judge to be comprized within the intent and meaning of the act of Congress, of the tenth of October, one thousand seven hundred and eighty, respecting such expences.—That the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents, and

and the neighbouring villages who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties.—That a quantity not exceeding one hundred and fifty thousand acres of land, promised by this state, shall be allowed and granted to the then colonel, now general George Rogers Clarke, and to the officers and soldiers of his regiment, who marched with him when the posts of Kaskaskies and St. Vincens were reduced, and to the officers and soldiers, that have been since incorporated into the said regiment, to be laid off in one tract, the length of which not to exceed double the breadth, in such place on the north west side of the Ohio, as a majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion, according to the laws of Virginia. That in case the quantity of good lands on the south east side of the Ohio, upon the waters of Cumberland river, and between the Green river, and Tenessee river, which have been reserved by law for the Virginia troops upon continental establishment, should from the North Carolina line, bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops, in good lands, to be laid off between the rivers Scioto, and little Miami, on the north west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia.—That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the beforementioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States, as have become or shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever. Provided that the trust hereby reposed in the delegates of this state, shall not be executed, unless three of them at least are present in Congress.”

AND



AND WHEREAS the said general assembly, by their resolution of June sixth, one thousand seven hundred and eighty three, had constituted and appointed us the said Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, delegates to represent the said commonwealth in Congress for one year, from the first Monday in November then next following, which resolution remains in full force: NOW THEREFORE KNOW YE, that we the said Thomas Jefferson, Samuel Hardy, Arthur Lee and James Monroe, by virtue of the power and authority committed to us by the act of the said general assembly of Virginia before recited, and in the name, and for and on behalf of the said commonwealth, do by these presents convey, transfer, assign, and make over unto the United States in Congress assembled, for the benefit of the said states, Virginia inclusive, all right, title and claim, as well of soil as of jurisdiction, which the said commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying and being to the north-west of the river Ohio, to and for the uses and purposes, and on the conditions of the said recited act. In testimony whereof, we have herewith subscribed our names and affixed our seals, in Congress, the            day of            in the year of our Lord, one thousand seven hundred and eighty four, and of the independence of the United States the eighth."

*Resolved*, That the United States in Congress assembled, are ready to receive this deed, whenever the delegates of the state of Virginia are ready to execute the same.

A motion was made by Mr. Beatty, seconded by Mr. Montgomery, to add the following proviso. "Provided always that the acceptance of the said cession, in manner, and form aforesaid, shall not be considered as implying any opinion or decision of Congress respecting the extent or validity of the claim of the commonwealth of Virginia, to western territory by charter or otherwise."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Beatty.

New-Hampshire,



New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Osgood	no		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
Delaware,	Mr. Tilton	no	}	*
Virginia,	Mr. Jefferson	no		
	Mr. Hardy	no	}	no
	Mr. Lee	no		
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	no	}	no
	Mr. Spaight	no		
South Carolina,	Mr. Read	no	}	no
	Mr. Beresford	no		

So it passed in the negative.

On the question to agree to the motion of Mr. Howell, the yeas and nays being required by Mr. Beresford.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
	Mr. Osgood	ay	}	ay
Rhode-Island,	Mr. Ellery	ay		
	Mr. Howell	ay	}	ay
Connecticut,	Mr. Sherman	ay		
	Mr. Wadsworth	ay	}	no
New-Jersey,	Mr. Beatty	no		
	Mr. Dick	no	}	ay
Pennsylvania,	Mr. Mifflin	ay		
	Mr. Montgomery	ay	}	ay
Delaware,	Mr. Tilton	ay		

Virginia,

Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So it was resolved in the affirmative.

The delegates of Virginia then proceeded, and signed, sealed and delivered the said deed; whereupon Congress came to the following resolution.

The delegates of the commonwealth of Virginia, having executed the deed;

*Resolved*, That the same be recorded and enrolled among the acts of the United States in Congress assembled,

T U E S D A Y, MARCH 2, 1784.

Congress assembled. Present as yesterday.

According to the order of the day, Congress proceeded to the election of an under secretary in the office for foreign affairs, to take charge of the papers in that office; and the ballots being taken,

Mr. Henry Remsen, junior, was elected, having been previously nominated by Mr. Gerry.

*Ordered*, That the election of a deputy secretary, be postponed till to morrow.

Congress proceeded to the election of a secretary for foreign affairs, but not coming to a choice,

*Ordered*, That the election of a secretary for foreign affairs be postponed, until the committee appointed to consider what reductions may be made in the civil list, and who were directed to report specially on each department, shall have reported.

On motion of Mr. Howell, seconded by Mr. Gerry,

*Resolved*, That Mr. H. Remsen, junior, under secretary in the office for foreign affairs, be, and he is hereby authorized and directed, to take a list of all the papers in the office for foreign affairs, and lay the same before Congress; and that the members of Congress have access to

to the said papers, under the regulations of the office.

On motion of Mr. Gerry, seconded by Mr. Howell,

*Ordered*, That to morrow be assigned for the consideration of Indian affairs.

W E D N E S D A Y, MARCH 3, 1784.

Congress assembled. Present the same states as yesterday, and from the state of Delaware Mr. Tilton.

According to the order of the day, Congress proceeded to the consideration of Indian affairs; and on motion of Mr. Howell, seconded by Mr. Ellery.

*Resolved*, That to morrow be assigned for electing five commissioners to negotiate with the Indians.

On motion of Mr. Howell, seconded by Mr. Lee,

*Resolved*, That a committee be appointed to revise the fourth and fifth of the instructions of the 15th of October last, to the commissioners to be appointed to negotiate a treaty with the Indians, and to report the alterations necessary to be made.

T H U R S D A Y, MARCH 4, 1784.

Congress assembled. Present the same states as yesterday, and from the state of Delaware Mr. Tilton, and from Maryland Mr. Chase.

Congress proceeded to the election of five commissioners to negotiate with the Indians; and the ballots being taken,

Mr. George Rogers Clarke, Mr. Oliver Wolcott, Mr. Nathaniel Greene, Mr. Richard Butler, and Mr. Stephen Higgenson were elected.

*Ordered*, That the election of a deputy secretary be postponed.

F R I D A Y, MARCH 5, 1784.

Congress assembled. Present as yesterday.

On the report of a committee consisting of Mr. Jefferson, Mr. Howell and Mr. Lee, appointed to consider and report what further arrangements are necessary to carry into effect the proposed treaty with the Indians. *Resolved*,



*Resolved*, That the president immediately inform the gentlemen elected commissioners for holding a treaty with the Indians, of the said election, and that, as it is the wish of Congress, that the negotiations should commence as soon as possible, the commissioners are desired to meet at New-York, on the tenth day of April next, to fix upon the times and places of holding the treaties with the different nations, and tribes of Indians, and give them respectively, the speediest information of the time and place determined on inviting them to meet accordingly.

*Resolved*, That all appointments of persons for negotiating with the Indians, prior to that of the 4<sup>th</sup> instant, be, and they are hereby revoked.

*Ordered*, That the secretary prepare and lay before Congress, the form of a commission, for the persons appointed to negotiate with the Indians, making any three of the same competent to the business of their commission.

M O N D A Y, MARCH 8, 1784.

Mr. Gunning Bedford, a delegate for the state of Delaware attended.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Delaware, Virginia, North-Carolina and South-Carolina, and from the state of Maryland Mr. Chase.

Congress proceeded in the farther consideration of the report of the committee, appointed to consider and report what further arrangements are necessary to carry into effect the proposed treaty with the Indians :

And the following paragraph being under debate, and amended to read—

That each of the commissioners attending the treaty, shall be allowed           dollars a day, in full for his services during such attendance, exclusive of his expences, necessarily incurred.

A motion was made by Mr. Howell, seconded by Mr. Tilton, to strike out the words, between “allowed” and “his expences,” and after “incurred,” to add, “and such compensation for his time, as the nature and extent of his services may require.”

A motion was made by Mr. Ellery, seconded by Mr. Gerry, to postpone the paragraph and amendment under debate, in order to take up the following.

That Congress will make each of the commissioners for negotiating a treaty with the Indians, an adequate compensation for his time and services; and that the superintendent of finance be directed to advance each of them eight hundred dollars on account. And on the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Patridge	ay	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} divided
	Mr. Montgomery	no	
Delaware,	Mr. Bedford	ay	} ay
	Mr. Tilton	ay	
Maryland,	Mr. Chase	no	} *
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	no	} no
	Mr. Lee	no	
	Mr. Monroe	no	} no
North-Carolina,	Mr. Williamson	no	
	Mr. Spaight	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	} no

So the question was lost.

A motion was then made by Mr. Gerry, seconded by Mr. Read,

To postpone the consideration of the paragraph under debate, together with the amendment proposed, in order to take up the following:—"That each of the commissioners for negotiating with the Indians, be allowed seven dollars a day for his services and expences." And

on the question for postponing, the yeas and nays being required by Mr. Gerry.

New-Hampshire	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Miffin	ay	} divided
	Mr. Montgomery	no	
Delaware,	Mr. Bedford	no	} no
	Mr. Tilton	no	
Maryland,	Mr. Chase	ay	} *
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	} ay
North-Carolina,	Mr. Williamson	ay	
	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So it was resolved in the affirmative.

A motion was then made by Mr. Ellery, seconded by Mr. Beatty, to strike out the word "seven," in the motion before the house, and in lieu thereof to insert "six."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Ellery.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,			



Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
Delaware,	Mr. Bedford	no	} divided
	Mr. Tilton	ay	
Maryland,	Mr. Chate	no	] *
Virginia,	Mr. Jefferson	no	
	Mr. Hardy	no	} no
	Mr. Lee	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	] *

So the question was lost.

*Ordered*, That the further consideration of the motion be postponed till to morrow.

TUESDAY, MARCH 9, 1784.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Delaware, Virginia and North-Carolina; and from the state of Pennsylvania Mr. Montgomery, and from the state of South-Carolina, Mr. Read.

WEDNESDAY, MARCH 10, 1784.

Only four states attended, namely, Massachusetts, Delaware, Virginia and North Carolina; and from the state of Rhode-Island Mr. Howell, from Connecticut Mr. Sherman, and from South-Carolina Mr. Read.

THURSDAY, MARCH 11, 1784.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode Island, Connecticut, New-Jersey, Virginia and North-Carolina; and from the state of Pennsylvania, Mr. Montgomery, from Delaware, Mr. Tilton, and from South-Carolina, Mr. Read.

FRIDAY, MARCH 12, 1784.

Congress assembled—Present New-Hampshire, Massachusetts,

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chusetts, Rhode-Island, Connecticut, New-Jersey, Delaware, Virginia and North-Carolina; and from the state of Pennsylvania Mr. Montgomery, and from the state of South-Carolina Mr. Read.

The president being absent through indisposition, Congress proceeded to the choice of a chairman; and the ballots being taken,

Mr. Thomas Jefferson was elected.

A motion was made by Mr. Gerry, seconded by Mr. Read,

"That an addition be made of one commissioner, to those appointed on the 4th instant, to negotiate with the Indians of the northern and middle departments."

And on the question to agree to this, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	divided
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Montgomery	ay	}	*
Delaware,	Mr. Bedford	ay		
	Mr. Tilton	ay	}	ay
Virginia,	Mr. Jefferson	ay		
	Mr. Hardy	ay	}	ay
	Mr. Lee	ay		
	Mr. Monroe	ay	}	ay
North-Carolina,	Mr. Williamson	ay		
	Mr. Spaight	ay	}	ay
South-Carolina,	Mr. Read	ay		

So the question was lost.

The secretary having agreeable to order, prepared and laid before Congress, the form of a commission for the persons appointed to negotiate with the Indians—the same was agreed to.

Congress

Congress took into consideration the report of a committee consisting of Mr. Osgood, Mr. Lee and Mr. Ellery, in answer to the address from the house of representatives of the state of Connecticut, enclosed in Mr W. Williams letter, of the 1st of November, and the following paragraph being under debate, respecting the resolution granting half pay for life to the officers of the army.

"The resolution of Congress referred to, appears by the yeas and nays, to have been passed according to the then established rules of that body in transacting the business of the United States; the resolution itself had public notoriety, and does not appear to have been formally objected against by the legislature of any state till after the confederation was completely adopted, nor till after the close of the war."

A motion was made by Mr. Howell, seconded by Mr. Lee, to strike out the words, "nor till after the close of the war."

And on the question shall those words stand, the yeas and nays being required by Mr. Lee.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-Jersey,	Mr. Dick	no	}	ay
Pennsylvania,	Mr. Montgomery	ay		
Delaware,	Mr. Bedford	no	}	no
	Mr. Tilton	no		
Virginia,	Mr. Jefferson	no	}	no
	Mr. Hardy	no		
	Mr. Lee	no		
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	ay	}	ay
	Mr. Spaight	ay		
South Carolina,	Mr. Read	ay	}	ay

So the question was lost, and the words were struck out.

SATURDAY,



SATURDAY, MARCH 13, 1784.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New Jersey, Virginia, North-Carolina and South-Carolina; and from the state of Pennsylvania Mr. Montgomery.

The standing committee of qualifications, consisting of Mr. Sherman, Mr. Jefferson, Mr. Beatty, Mr. Chase and Mr. Williamson, appointed to examine the commissions or credentials of the members that are, or may be in Congress till the first Monday of November next, and to report thereon, from time to time, to Congress, report.

That the delegates from the state of Delaware now in Congress, were appointed on the first day of February 1783, to represent that state in Congress, the ensuing year, that under said appointment, one of the members present took his seat in Congress on the tenth day of March, and the other on the 22d day of September 1783. Whereupon the committee are of opinion, that the year for which the said delegates were appointed, expired on the first day of February last.

On the question to agree to this report, the yeas and nays being required by Mr. Tilton.

New-Hampshire.	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	ay	} *
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	} divided
North-Carolina,	Mr. Williamson	no	
	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So the question was lost.

A

A motion was then made by Mr. Howell, seconded by Mr. Williamson, in the words following.

As it appears to Congress that Mr. G. Bedford, was appointed on the 11th day of February 1783, by the state of Delaware, to represent the same in Congress for the year then ensuing, and that he took his seat in Congress pursuant to said appointment, on the tenth day of March following: *Resolved*, That the year for which Mr. Bedford was appointed, is expired.

A motion was made by Mr. Monroe, seconded by Mr. Ellery, to strike out the words, "on the tenth day of March following." And on the question, Shall those words stand? the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	divided
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Montgomery	no	}	no
	Mr. Jefferson	no		
Virginia,	Mr. Hardy	no	}	no
	Mr. Lee	no		
North-Carolina,	Mr. Monroe	no	}	divided
	Mr. Williamson	ay		
South-Carolina,	Mr. Spaight	no	}	no
	Mr. Read	no		
	Mr. Beresford	no		

So it passed in the negative, and the words were struck out.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		

Rhode-

Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	} ay
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	} ay
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	} ay
Virginia,	Mr. Jefferson,	ay	} ay
	Mr. Hardy	ay	} ay
	Mr. Lee	ay	} ay
	Mr. Monroe	ay	} ay
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	} ay

So it was resolved in the affirmative as follows:

As it appears to Congress that Mr. Bedford was appointed on the first day of February 1783, by the state of Delaware, to represent the same in Congress for the year then ensuing, and that he took his seat in Congress, pursuant to the said appointment:

*Resolved*, That the year for which Mr. G. Bedford, was appointed is expired.

A motion was then made by Mr. Spaight, seconded by Mr. Read,

As it appears to Congress that Mr. Tilton was appointed on the first day of February 1783, by the state of Delaware, to represent the same in Congress, for the year then ensuing, and that he took his seat in Congress pursuant to the said appointment:

*Resolved*, That the year for which Mr. Tilton, was appointed, is expired.

On the question to agree to this, the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	} ay
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	} ay
Rhode-Island,	Mr. Ellery	ay	}*
			Connecticut,



Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

M O N D A Y, MARCH 15, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Virginia and North-Carolina; and from the state of South Carolina Mr. Read.

A motion being made by Mr. Montgomery, seconded by Mr. Jefferson,

That one commissioner be appointed in addition to the five already chosen, to negotiate with the Indians, and to morrow assigned for that purpose.

A motion was made by Mr. Gerry, seconded by Mr. Partridge, to amend by inserting the words, “from the state of New-York,” immediately after the word “commissioner.” On this amendment the previous question was moved by the state of Rhode-Island, seconded by the state of Connecticut, and on the question to agree to the previous question, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	

New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} divided
	Mr. Montgomery	no	
Virginia,	Mr. Jefferson	ay	} no
	Mr. Hardy	no	
	Mr. Lee	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	

So the question was lost.

On the question to agree to the amendment, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} divided
	Mr. Spaight	no	

So the question was lost.

The original motion was then withdrawn.

T U E S D A Y, MARCH 16, 1784.

Congress assembled—Present as yesterday.

On the report of a committee consisting of Mr. Gerry, Mr. Jefferson, Mr. Sherman, Mr. Read and Mr. Williamson, to whom were referred a letter of November 1st, and

and one of December 25th from doctor Franklin, with sundry papers enclosed, together with a letter of 26th October, and one of the 14th November, from Thomas Barclay :

*Resolved*, That it is inconsistent with the interest of the United States to appoint any person not a citizen thereof, to the office of minister chargé des affaires, consul, vice consul, or to any other civil department in a foreign country ; and that a copy of this resolve be transmitted to messieurs Adams, Franklin and Jay, ministers of the said states in Europe.

That the said ministers be instructed to inform Mr. William Hodgden, merchant of London, that Congress have a grateful sense of his benevolent and humane attention to the citizens of these United States, who were prisoners in Great-Britain during the late war.

That a copy of the application of the Danish minister, to doctor Franklin, and of a paragraph of his letter to Congress, on the subject of the capture of the Danish ship *Providentia*, be sent to the supreme executive of Massachusetts, who are requested to order duplicate and authentic copies of the proceedings of their court of admiralty, respecting the said ship and cargo, to be sent to Congress.

That a copy of all the letters from Mr. Robert Montgomery, of Alicant, with their inclosures to Congress and the secretary for foreign affairs, be transmitted to the said ministers, who are instructed to enquire on what grounds Mr. Montgomery, has undertaken to write in the name of the United States, to the emperor of Morocco, a letter by which their characters and interest may be so materially affected ; and to take such measures thereon, as may be proper and consistent with the interest of the said states.

That a copy of a letter from Thomas Barclay, consul of the United States in France, of the 20th of October last, to Congress, be transmitted to the said ministers, who are instructed to take the necessary measures for obtaining free ports in that kingdom, one or more on the Atlantic, and one on the Mediterranean.

W E D N E S D A Y



W E D N E S D A Y, MARCH 17, 1784.

Congress assembled—Present as yesterday and from the state of Maryland Mr. Chase.

On motion of Mr. Sherman, seconded by Mr. Beatty,

*Resolved*, That the superintendant of finance be directed to take order for advancing to the reverend Daniel Jones, chaplain to Congress, one hundred and fifty dollars on account,

T H U R S D A Y, MARCH 18, 1784.

Mr. Read and Mr. Beresford, delegates for the state of South-Carolina, produced a resolution of the legislature of that state, of 11th and 13th February 1784, empowering the delegates then in Congress to retain their seats and continue to represent this state, until a sufficient number of the delegates elected to represent this state, shall arrive and take their seats in Congress."

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from Maryland Mr. Chase.

On the report of a committee consisting of Mr. Monroe, Mr. Howell and Mr. Sherman, to whom was referred a memorial of Mr. Francis Cazeau.

*Resolved*, That as the depreciation of the paper currency (mentioned in Mr. Cazeau's memorial) did not arise from a voluntary act of Congress, but was an evil forced on us by our exigencies, hath been injurious to our own citizens as well as to foreigners, and as no compensation hath been made the former for the losses they have sustained thereby, the United States in Congress assembled, cannot with justice discriminate between them and any other class or description of men.

*Resolved*, That whatever stores or provisions Mr. Cazeau purchased and collected for the use of the American army, by engagement of the officer commanding the detachment or other person duly authorized by him for that purpose, whether they reached the detachment or not, if so purchased and collected they were destroyed, and he in that degree injured, the United States are in honor and justice bound strictly to make good the loss he sustained thereby

thereby, provided it shall not appear in the liquidation of his accounts, that the said stores and provisions were to have been at his risque until the delivery thereof.

*Resolved*, That whatever Mr. Cazeau, advanced to expresses, to give necessary communications to our generals, should be repaid him.

*Resolved*, That the sale of his goods to the inhabitants of his province, to promote our interest upon cheaper terms than he might otherwise have obtained, was an act of benevolence not authorized on our part, and can therefore in justice give him no claim for retribution.

*Resolved*, That an interest of six per cent per annum, from the first day of May 1777, be allowed to Mr. Cazeau, on the above advances, and on the amount of the articles so purchased and collected.

*Resolved*, That the superintendant of finance be, and he hereby is directed to advance to Mr. Cazeau, the sum of five thousand dollars on account, and to order his account to be adjusted, and to give him certificates for the payment of the balance at such early and convenient times, as the finances of the United States will admit of.

*Resolved*, That in settling the accounts of Mr. Cazeau, his own testimony under oath be admitted in support of such other evidence as the circumstances of the case will admit.

#### F R I D A Y, MARCH 19, 1784.

Congress assembled—Present as yesterday.

Mr. Mercer, a delegate for Virginia attended.

The report of the committee on a letter of 6th November, 1783, from the legislature of New Hampshire, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig *Lusannah*, as entered on the journal of the 21st January last, being taken up for debate.

A motion was made by Mr. Read, seconded by Mr. Spaight, that the consideration of the report be postponed, in order to take up the following :

“ That the petition of John Penhallow and others, and the papers accompanying the same, be referred to the judges

judges of the court of appeals; and that the said judges do report to Congress their proceedings, judgment and final decree in the same."

On the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} divided
	Mr. Montgomery	no	
Maryland,	Mr. Chase	no	} *
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Mercer	no	
	Mr. Lee	no	
	Mr. Monroe	ay	} ay
North-Carolina,	Mr. Williamson	ay	
	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So the question was lost.

The previous question was then moved on the main question by the State of South-Carolina, seconded by the State of Massachusetts—And on the question to agree to the previous question, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,			



Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	no	} divided
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
Maryland,	Mr. Chase	ay	} *
Virginia,	Mr. Jefferson	no	
	Mr. Hardy	ay	} no
	Mr. Mercer	no	
	Mr. Lee	no	} no
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
South Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

When the question as about to be put on the resolution reported by the committee, the determination thereof was postponed by the state of North-Carolina.

On motion of Mr. Sherman, seconded by Mr. Gerry,

*Resolved*, That the commissioners appointed to negotiate with the Indians, shall each be allowed six and an half dollars per day, for the time they shall be employed in that business, in full for their services and expences, exclusive of their expences at the place or places where the treaties shall be held.

On the report of a committee consisting of Mr. Jefferson, Mr. Howell and Mr. Lee, to whom was referred an additional report on Indian officers.

*Resolved*, That the superintendant of finance cause to be purchased a quantity of goods, to be applied in negotiating the treaty with the Indians, the amount not to exceed the sum of fifteen thousand dollars, including those on hand, according to an estimate specifying kinds, quantities and qualities, to be furnished by the commissioners for negotiating the treaty.

*Resolved*, That the commissioners be, and they hereby are authorized and instructed, to appoint one or more suitable person or persons, with such allowance as they may think reasonable, to receive the aforesaid goods, to take

take charge of their transportation, to such place or places as may be pointed out by the said commissioners, and to attend to the safe keeping and issuing, agreeably to such orders as he or they may receive from the said commissioners, all goods committed to his or their care, which orders are to be produced as vouchers on the settlement of the accounts. And that the superintendant of finance furnish to the order of the said commissioners the sums of money necessary for carrying this resolve into execution.

*Resolved*, That the said commissioners be, and they hereby are authorized and directed, to make and transmit to Congress from time to time, estimates of such additional quantities of goods, as may be found necessary in the course of their negotiations, in order that proper measures may be taken for procuring and forwarding the same.

MONDAY, MARCH 22, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Virginia and North-Carolina; and from the state of Pennsylvania Mr. Mifflin, from Maryland Mr. Chase, and from South-Carolina Mr. Beresford.

On motion of Mr. Foster, seconded by Mr. Blanchard,

*Resolved*, That the determination of the question on the resolution of the committee on the letter of the 6th of November, 1783, from the legislature of New-Hampshire, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig Lufannah, be postponed till to morrow.

TUESDAY MARCH 23, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Virginia, North-Carolina and South-Carolina; and from the state of Pennsylvania Mr. Mifflin, and from Maryland Mr. Chase.

On motion of Mr. Foster, seconded by Mr. Blanchard,

*Resolved*, That the determination of the question on the resolution

resolution of the committee on the letter of the 6th of November, 1783, from the legislature of New-Hampshire, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig *Lufannah*, be further postponed till to-morrow.

On the report of the committee of qualifications, consisting of Mr. Sherman, Mr. Jefferson, Mr. Beatty, Mr. Chase and Mr. Williamson.

Whereas by the fifth of the articles of confederation and perpetual union of the United States, it is agreed, "that for the more convenient management of the general interest of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recall its delegates or any of them, at any time within the year, and to send others in their stead, for the remainder of the year."

*Resolved*, That the several states be requested annually to appoint their delegates to serve in Congress for one year, to commence on the first Monday in November next ensuing the time of their appointment: and when vacancies shall happen by the removal or resignation of any of the said delegates within the year, such states be requested to appoint others in their stead, to serve only for the remainder of the year; and to furnish their delegates so appointed with commissions, or other credentials, under the seal of the state, particularly specifying the time for which they are appointed.

The committee of qualifications having further reported that Mr. Olgood, was on the 14th February 1781, by the legislature of the state of Massachusetts, appointed a delegate for that state to Congress, from that time until the first Monday in November then next, in consequence thereof he took his seat in Congress, on the 12th day of June 1781.—That on the 25th of the said June, he was again appointed to the said office for one year, commencing the first Monday in November then next, and on the 7th of June 1782, he was again elected for one year, to commence the first Monday of November then next, and on the 9th day of July 1783, he was again  
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elected for one year, to commence the first Monday in November 1783.—That he accepted the said trust under each of said appointments.—That on the first day of March 1781, the articles of confederation were finally ratified, whereupon the committee are of opinion, that by the 5th article of the confederation, the said Mr. Osgood became incapable of being a delegate in Congress after the first day of March 1784, he having been a delegate three years expiring on that day, since the final ratification of the said articles.

A motion was made by Mr. Gerry seconded by Mr. Partridge, to postpone the consideration of the opinion reported by the committee in order to take into consideration the following.

After the statement of facts as made by the committee, and adding, “but the members then in Congress, being appointed previous to and not under the articles of the confederation, and nothing appearing in the credentials of those members to authorise them to sit in two Congresses differently constituted, and it being also reasonable to conclude that the first federal year, commenced the first Monday of November 1781: *Resolved*, That Mr. Osgood is capable of being a delegate till the first Monday of November, 1784.”

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	ay	} divided
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	] *
Maryland,	Mr. Chase	no	

Virginia,

Virginia,	Mr. Jefferson	no	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
	Mr. Lee	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

On the question to agree to the report of the committee, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-Jersey,	Mr. Beatty	no	} divided
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} *
Maryland,	Mr. Chase	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	
	Mr. Lee	no	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

On the report of a committee consisting of Mr. Howell, Mr. Chase and Mr. Lee, to whom was referred a letter of September 20th, 1783, from the superintendant of finance, with sundry papers enclosed.

*Resolved,* That the commissioner for settling the marine accounts, govern himself by the resolutions of the 11th July,

July, 1780, and the 12th of June, 1781, in settling the pay of the officers and men of the navy, and the depreciation thereon.

On the report of a committee consisting of Mr. Howell, Mr. Chase and Mr. Lee, to whom was referred a letter of 13th January, 1784, from the superintendant of finance, on the memorial of James Taylor.

*Resolved*, That the comptroller of accounts be, and he hereby is authorized and directed, to cause a settlement to be made of the accounts between the United States, and the secret and commercial committees of Congress, and all others existing under contracts made with the said committees, according to the usual mode of settling accounts at the treasury, and to report such settlement to Congress.

W E D N E S D A Y, MARCH 24, 1784.

Congress assembled—Present as yesterday.

On motion of Mr. Foster, seconded by Mr. Blanchard,

*Resolved*, That the determination of the question on the resolution of the committee, on the letter of the 6th of November, 1783, from the legislature of New-Hampshire, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig Lufannah, be postponed.

On the report of a committee consisting of Mr. Williamson, Mr. Read and Mr. Lee, to whom was referred a letter of 1st November 1783, from the secretary at war, concerning certain dragoons who deserted from South-Carolina, bringing off some of the best horses in the regiment, and their accoutrements.

*Resolved*, That in consideration of the former conduct of the dragoons belonging to colonel Baylor's regiment, who deserted on May last from South-Carolina, and that during the time of active and dangerous service, they had faithfully discharged their duty, their accounts shall be settled as those of other dragoons, except that they shall be charged with the horses they brought off, at the price the best remaining horse belonging to the same corps sold for in South-Carolina, and for their accoutrements,

at



at what the officer settling those accounts may find to have been their average value.

Congress took into consideration the report of a committee consisting of Mr. Williamson, Mr. Gerry, Mr. Tilton, Mr. Jefferson and Mr. M'Henry, appointed to consider what reductions may be made in the civil list, and the following paragraph being under debate :

“ That the office of chargé des affaires, at the court of Madrid, whose salary is 4444 dollars, be discontinued.”

A motion was made by Mr. Hardy, seconded by Mr. Mercer, That the consideration thereof be postponed— And on the question for postponing, the yeas and nays being required by Mr. Wadsworth.

New-Hampshire,	Mr. Foster	ay	} divided
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	ay	} *
Virginia,	Mr. Hardy	ay	
	Mr. Mercer	ay	} ay
	Mr. Lee	no	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So the question was lost.

T H U R S D A Y, MARCH 25, 1784.

Mr. Ephraim Paine, a delegate for the state of New-York, attended, and produced credentials under the seal of the state, by which it appears that on the third day of February 1784, the honorable Alexander M'Dougall, Charles

Charles de Witt, John Lansingh, junior, Ephraim Paine and Walter Livingston, were by the senate and assembly of the said state, nominated and appointed delegates to represent said state in the United States in Congress assembled, for the ensuing year.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the state of New-York, Mr. Paine, and from Maryland Mr. Chase.

On motion of Mr. Blanchard, seconded by Mr. Sherman.

*Resolved*, That Tuesday next, be assigned for a further consideration of the report of the committee, on the letter of the 6th November 1783, from the legislature of New-Hampshire, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig Lufanna.

#### F R I D A Y, MARCH 26, 1784.

Mr. Thomas Stone, a delegate for the state of Maryland, attended and took his seat.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina; and from New-York, Mr. Paine.

#### S A T U R D A Y, MARCH 27, 1784.

Mr. Charles de Witt, a delegate for the state of New-York, and Mr. James M'Henry, a delegate for Maryland, and Mr. Hand, a delegate for Pennsylvania, attended.

Congress assembled. Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, and South-Carolina.

#### T U E S D A Y, MARCH 30, 1784.

Congress assembled—Present as before.

The president being absent, Congress proceeded to the election of a chairman; and the ballots being taken,

Mr. Thomas Jefferson was elected.

The

The grand committee consisting of Mr. Jefferson, Mr. Blanchard, Mr. Gerry, Mr. Howell, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Stone, Mr. Williamson and Mr. Read, to whom was referred a letter of 19th March, 1784, from the superintendant of finance, with sundry papers enclosed, and who were instructed to revise the institution of the treasury department, and report such alterations as they may think necessary, reported the draft of a circular letter, to the supreme executive of the several states, which was agreed to.

According to the order of the day Congress resumed the consideration of the report of the committee on the letter of the 6th November 1783, from the legislature of New Hampshire, as entered on the journal, of the 21st of January last, touching the proceedings and sentence of the court of appeals in cases of capture, on the case of the brig Lufanna.

And a motion was made by Read, seconded by Mr. Hardy, to postpone the consideration of the report of the committee, in order to take into consideration the following motion.

Whereas by the ninth of the articles of confederation and perpetual union, the United States in Congress assembled, are vested with the right of establishing courts "for receiving and determining finally, appeals in all cases of captures;" and the United States in Congress assembled, having on the                      day of                      in pursuance of such authority accordingly, appointed such court of appeals, and commissioned proper persons as judges in the same: *Resolved*, That it is improper for the United States in Congress assembled, in any way to reverse or controul the decisions, judgments or decrees of such court of appeals.

And on the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} divided
	Mr. Partridge	ay	
	Rhode Island,		



Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M <sup>r</sup> Henry	no	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	} divided
Virginia,	Mr. Jefferson	no	
	Mr. Hardy	ay	
	Mr. Mercer	no	
	Mr. Monroe	ay	} no
North-Carolina,	Mr. Williamson	no	
	Mr. Spaight	no	} *
South-Carolina,	Mr. Read	ay	

So the question was lost.

On the question to agree to the resolution reported by the committee, namely,

“That the said capture having been made by citizens of New-Hampshire, carried into and submitted to the jurisdiction of that state, before the completion of the confederation; while appeals to Congress in such cases were absolutely refused by their legislature, neither Congress, nor any persons deriving authority from them, had jurisdiction in the said case.”

The yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} divided
	Mr. Paine	ay	

New Jersey,

New Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	
Virginia,	Mr. Jefferson	ay	} divided
	Mr. Hardy	no	
	Mr. Mercer	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} *

So the question was lost.

W E D N E S D A Y, MARCH 31, 1784.

Congress assembled—Present eleven states.

T H U R S D A Y, APRIL 1, 1784.

Congress assembled—Present eleven states as before.

F R I D A Y, APRIL 2, 1784.

Congress assembled—Present eleven states as before.

M O N D A Y, APRIL 5, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and North-Carolina; and from the state of South-Carolina Mr. Read.

Congress took into consideration the report of a grand committee, consisting of Mr. Jefferson, Mr. Foster, Mr. Partridge, Mr. Howell, Mr. Sherman, Mr. Beatty, Mr. Montgomery, Mr. Tilton, Mr. Chase, Mr. Spaight and Mr. Read, appointed to prepare and report to Congress, the arrears of interest on the national debt, together with the interest and expences of the year 1784, from the first to the last day thereof inclusive, and a requisition of money on the states for discharging the same.

A motion was made by Mr. Williamson, seconded by Mr. Read, That it be referred to the superintendant of finance to report. The report of the grand committee being as follows.

*Resolved*, That there will be wanting for arrears of interest, and for the interest and services of the present year 1784, from the first to the last day thereof inclusive, the following sums expressed in dollars, tenths and hundredths of dollars.

The civil department,	—	107,525.33	
The military department,	—	200,000	
The marine department,	—	30,000	
Purchases of Indian rights of soil, and the incidental expences,	—	60,000	
Contingencies,	—	60,000	
			457525. 33

Debts contracted and still unpaid for the services of 1782 and 1783,	-	1,000,000
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Interest on the national debt  
as follows.

#### FOREIGN DEBT.

1782.

Dec. 31.	Three years interest on the Spanish loan of 150,000 dollars, at 5 per cent.	22,500
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1783.

Dec. 31.	Spanish loan,	—	7,500	
	Private French loans of 4 million livres, at 5 per cent.	—	37,037	

1784.

June 1.	Dutch loan of 1,800,000 florins, at 5 per cent.	—	35,000	
Sept. 3.	Public French loan of 24 million livres, at 5 per cent.	—	222,000	

Carried forward,	257.000	2,524562. 33
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Brought forward, 257,000 2,524,562.33

Nov. 5:	Dutch loan of 10 million		
	livres, guaranteed by		
	France, ———	74,074	
Dec. 31.	Spanish loan, —	7,500	
	Private French loans, —	37,037	
		<u>          </u>	375,611

DOMESTIC DEBT.

1782.

Dec. 31.	L. office debt, 11,473,802.26	
	at 6 per cent. ———	1,184,176
	Liquidated debt, 701,404	
	at 6 per cent. ———	21,042
	Army debt, 5,635,618	
	at 6 per cent. —	676,272
		<u>          </u>
		1,881,490

Deduct the requisition of

Sept. 1, 1782, ———	1,200,000
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1783.

Dec. 31.	Loan office debt, —	749,050
	Liquidated debt, ———	42,084
	Unliquidated debt of 8 mil.	
	lion dollars, suppose one-	
	third now liquidated, at 6	
	per cent. ———	160,000
	Army debt, —	338,136
		<u>          </u>
		1,289,270

1784.

Dec. 31.	Loan office debt, —	749,050
	Liquidated debt, ———	42,084
	Unliquidated debt, suppose	
	the whole now liquidated, 480,000	
	Army debt, —	338,136
		<u>          </u>
		1,609,270

Total	———	<u>          </u>	5,480,203.33
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The committee were apprised that the resolutions of Congress of April the 18th, 1783, had recommended to the several states the raising an annual revenue, by the establishment of certain imposts, for the purpose of discharging the national debt, principal and interest : but it occurred to them, that those recommendations were still before several of the legislatures ; that however desirable a compliance therewith is for the preservation of our faith, and establishment of a national credit, yet as time has already elapsed, and more must elapse before their final confirmation can be hoped, as, after it shall be obtained, time will also be requisite to advance the plan to the term of actual collection, good faith requires that in the mean while other measures should be resorted to for the purpose of discharging the growing interest.

In the statement of the interest due at the close of the year 1782, the committee have supposed its amount lessened by 1,200,000 dollars, required and apportioned by the resolutions of Congress of September the 4th and 10th, 1782, and appropriated to the sole purpose of paying the interest of the public debt. This requisition gave licence to the states to apply so much as should be necessary of their respective quotas of it to the payment of interest due on certificates issued from the loan office of their own states, and other liquidated debts of the United States contracted therein. Hence they suppose it has happened, that the actual payment of these quotas, have been uncommunicated to the office of finance for the United States. The committee are of opinion, that the states should be desired to communicate to the superintendant of finance, the payments they have made under this requisition, and where they have been incomplete, to hasten their completion, as the means still relied on by Congress for the discharge of that part of the interest of the public debt.—And while on this subject, they beg leave to add, that from the representation to Congress by the minister of France, referred to this committee, they learn that in some of the states, a discrimination has taken place between the citizens of their own, and subjects or citizens of other countries, which was not authorised by the said resolution : They are of opinion, that such states  
should

should be requested to revise and reform their proceedings herein, and to extend the benefits of this provision equally and impartially to all persons within its description.

Your committee came then to consider in what way it would be best to call for the sums requisite for the services before stated: and they thought it their duty in the first place to enquire, whether no surpluses might remain on former requisitions of Congress, after the purposes were effected to which they were originally appropriated; under an assurance that it would be both the duty and sense of Congress to apply such surpluses, in every instance, towards lessening the next requisitions on the States. They found in fact that such a surplus would remain on the requisition of October 30, 1781, for eight millions of dollars for the services of the ensuing year; and that this surplus would be great from the following circumstances:—That requisition was estimated on supposition, that the continental army would be completed by the States, to its full establishment; and that cloathing, subsistence and other necessaries for such an army, must of course be provided. The States were far short of producing such an army. Hence the calls for money were proportionally abridged. It was estimated too on the further supposition that we might be disappointed in the endeavours we were then exerting to borrow money both at home and abroad, and of course that the whole must be supplied by taxes. Loans however were obtained, and the surplus increased by this second cause. A third circumstance has further enlarged it. The payments on this requisition have been small and slow. Hence, instead of money, those who served and supplied the United States have received certificates only that money is due to them, and these debts have been transferred to the fund proposed to be raised by way of impost: so that tho' the debts exist, they are removed from this to another fund. To know then the amount of this surplus, the committee extended their enquiries to the sums actually received under this requisition, the purposes to which they have been applied, and anticipations thereof still unsatisfied. They found that 1,486,511. 71 only of the eight millions of dollars



dollars had been received at the treasury at the close of the year 1783; that these had been applied to the services of the years 1782 and 1783, and that for other services of the same years, debts were contracted to the amount of about one million of dollars more, which depend for their discharge on further receipts under this requisition. Your committee then are of opinion that a surplus of 5,513,488. 28 dollars will remain of this requisition after answering all the demands which actually arose against it, which were not answered by other means, nor transferred to other funds; and that this surplus ought to be applied so far as it will go, to the common purposes of the United States, so as to prevent new requisitions on them till the old shall have been exhausted, and to shew to those who may have paid their whole quota of any requisition, that they will not be called on anew till all the other states shall in like manner have paid up their quotas.

Your committee found also that there was a requisition of Congress of October 16, 1782 for two millions of dollars for the services of the year 1783, on which some small payments had been tendered, but that the superintendant of finance had found it better to receive and credit them as part of the eight millions. They are accordingly comprehended in the sum before stated to have been paid in under that head.

Having thus stated the demands existing against the states, the committee would have performed but half their duty, had they passed over unnoticed their condition to pay them. Their abilities must be measured in weighing their burthens. Their creditors themselves will view them just relieved from the ravages of predatory armies, returning from an attendance on camps, to the culture of their fields—beginning to sow, but not yet having reaped—exhausted of necessaries and habitual comforts, and therefore needing new supplies out of the first proceeds of their labour. Forbearance then, to a certain degree, will suggest itself to them. Those entrusted with the dispensation of justice between them, will suppose both parties desirous that their mutual situations should be considered and accommodated. Your committee are of opinion that if the whole balances of the two requisitions

of eight and of two millions, should be rigorously called into payment within the course of the present year, a compliance with such call would produce much distress; and that some term short of this should be fixed on, within the reach of the least as well as of the most able states. They propose therefore that the states be required to furnish within the course of the present year, such part of their deficiencies under the requisition of eight millions, as, with their payments to the close of the last year, will make up three-fourths of their original quota thereof: And that these payments be appropriated to the services of the present year 1784, in conformity with the statement in the first part of this report, giving generally, where accommodation cannot be effected among the several objects, a preference according to the order in which they are arranged in the said statement.

But while this proportion of former deficiencies is of necessity called for, under the pressure of demands which will admit neither denial nor delay, the committee must acknowledge that even the punctual compliance expected from all the states will not effect completely all the purposes of their preceding statement. To accomplish these perfectly, to enable the federal administration to fulfil the whole of those just and desirable objects, they wish earnestly and warmly to encourage the abler states to go as far beyond this proportion as their happier situation will admit, under an assurance that their further contributions will be applied towards reducing the interest and principal of the public debt, and will be placed to their credit in the next requisitions, with interest thereon from the time of payment.

Individual states have at times thought it hard that while, in their own opinion, they were in advance for the United States on accounts existing and unsettled between them, they should yet be called on to furnish actual contributions of money. The committee observe in answer to this, first, that almost every state thinks itself in advance: And secondly, that it has been the constant wish

wish of Congress that these accounts should be settled, and the contributions of each be known and credited. They have accordingly put it in the power of the states to effect these settlements : And as a further encouragement to hasten this desirable work, the committee are of opinion Congress should declare, that so soon as these accounts shall be all settled, and it shall appear in favor of what states balances arise, such states shall have credit for the same in the requisitions next ensuing.

But it will be necessary also to remind the states that no materials have yet been furnished to enable Congress to adjust the ultimate ratio in which the expenditures of the late war shall be apportioned on the states. The confederation directs that this shall be regulated by the value of the lands in the several states with the buildings and improvements thereon. Experiments made however since the date of that instrument, for the purposes of ordinary taxation, had induced doubts as to the practicability of this rule of apportionment ; yet Congress thought it their duty to give it fair trial, and recommended to the several states on the 17th of February 1783, to furnish an account of their lands, buildings and number of inhabitants, whereon they might proceed to estimate their respective quotas: but apprehending that the incompetence of the rule would immediately shew itself, and desirous that no time should be unnecessarily lost, they followed it with another recommendation of the 18th of April 1783, to substitute in lieu of that article in the confederation another, which should make the number of inhabitants, under certain modifications, the measure of contribution for each state. Both these propositions are still under reference to the several legislatures ; the latter accompanied by the earnest wishes and preference of Congress, under full conviction that it will be found in event as equal, more satisfactory, and more easy of execution : The former only pressed if the other should be rejected. The committee are informed that the states of Connecticut, New-Jersey, Pennsylvania and South Carolina, have acceded to the alteration proposed ; but have no evidence that the other  
states



States have as yet decided thereon. As it is necessary that the one or the other measure should be immediately resorted to, they are of opinion it should be recommended to the legislatures which have not yet decided between them, to come to decision at their next meeting.

In order to present to the eye a general view of the several existing requisitions, and of the payments made under them, the committee has subjoined them in the form of a table, wherein the 1st column enumerates the states; the 2d the apportionment of the 1,200,000 dollars; the 3d that of the 8 millions, the 4th that of the 2 millions; the 5th the sums paid by the several states in part of their respective quotas to the last day of the year 1783; and the 6th the sums now required to make up three fourths of their respective quotas of the 8 millions—expressed in dollars, tenths and hundredths of dollars.

A TABLE of the several EXISTING REQUISITIONS, and of the PAYMENTS made under them.

	Apportionment of the 8 mil.	Apportionment of the 2 mil.	Paid of the 8 m. before Dec. 31, 1783.	Sums now required to make $\frac{3}{4}$ of the 8 m.
New-Hampshire	48,000	373,598	3,000	277,198.5
Massachusetts	192,000	1,307,596	247,676.66	733,020.33
Rhode-Island	28,000	216,684	67,847.95	94,655.0
Connecticut	133,200	747,196	131,577.83	428,819.25
New-York	54,000	373,598	39,064.1	241,134.4
New-Jersey	66,000	485,679	102,004.95	262,254.3
Pennsylvania	180,000	1,120,794	346,632.98	493,962.51
Delaware	16,800	112,085		84,063.75
Maryland	132,000	933,996	89,302.11	611,194.88
Virginia	174,000	1,307,594	115,103.53	865,591.54
North-Carolina	88,800	622,677		467,007.75
South-Carolina	72,000	373,598		
Georgia	14,400	24,905	344,301.57	18,678.75
	1,200,000	8,000,000	1,486,511.71	4,577,591.02

It remained lastly to consider, whether no facilities might be given to the payment of these sums by the several states. The committee observed that of the purposes for which money is wanting, about a moiety can be answered by nothing but money itself; but that the other moiety, consisting of interest on our domestic debt, may be effected by procuring a discount of the demand in the hands of the holders; an operation which will be shorter, and less impoverishing to the state. And however, in times of greater plenty, the accuracy of fiscal administration might require all transactions to be in actual money, at the treasury itself; yet till our constituents shall have had some respite from their late difficulties, it behoves us to prefer their easement. The committee are therefore of opinion that the several legislatures may be admitted so to model the collection of the sums now called for, as that, the one half being paid in actual money, the other may be discharged by procuring discounts of interest with our domestic creditors; only taking care that the collection of money shall proceed at least in equal pace with the operations of discount. And to ascertain the evidence of discount which shall be receivable in lieu of money, the holders of loan office certificates shall be at liberty to carry them to the office from which they issued; and the holders of certificates and of other liquidated debts of the United States, to carry the same to the loan office of that state wherein the debt was contracted, and to have the interest due thereon settled and certified to the last day of the year 1783: for which interest the loan office shall give a certificate in such form, and under such cautions and instructions, as the superintendent of finance shall transmit to him: which certificates of interest being parted with by the holder of the principal, shall be deemed evidence that he has received satisfaction for the same, and therefore shall be receivable from the bearer, within the same state, in lieu of money in the proportion before stated. And where loan office certificates, issued after the first day of March 1778, shall be presented to the loan officer, they shall be reduced to their specie value, according to the resolutions of Congress of June 28, 1780, that specie value expressed on  
some



some part of the certificate, and the interest thereon settled and certified as in other cases.

The report of a committee on the subject of western territory, having been referred to the grand committee, they have had the same under their consideration, and agreed to the following report:

CONGRESS by their resolution of September 6, 1780, having thought it adviseable to press upon the states having claims to the western country, a liberal surrender of a portion of their territorial claims: by that of the 10th of October, in the same year, having fixed conditions to which the union should be bound, on receiving such cessions: And having again proposed the same subject to those states in their address of April 18th, 1783, wherein, stating the national debt, and expressing their reliance for its discharge, on the prospect of vacant territory, in aid of other resources, they, for that purpose, as well as to obviate disagreeable controversies and confusions, included in the same recommendations, a renewal of those of September the 6th, and of October the 10th, 1780; which several recommendations have not yet been finally complied with.

*Resolved,* That the same subject be again presented to the attention of the said states, that they be urged to consider that the war being now brought to a happy termination by the personal services of our soldiers, the supplies of property by our citizens, and loans of money from them as well as from foreigners; these several creditors have a right to expect that funds shall be provided on which they may rely for indemnification; that Congress still consider vacant territory as a capital resource; that this too is the time when our confederacy, with all the territory included within its limits, should assume its ultimate and permanent form: And that therefore the said states be earnestly pressed, by immediate and liberal cessions, to forward these necessary ends, and to remove those obstacles which disturb the harmony of the union, which embarrass its councils, and obstruct its operations.

On the question to refer the said report to the superintendant of finance to report thereon, the yeas and nays being required by Mr. Howell.

New-

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	divided
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	divided
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Hand	no		
Maryland,	Mr. M'Henry	no	}	no
	Mr. Stone	ay		
	Mr. Chase	no	}	no
Virginia,	Mr. Hardy	no		
	Mr. Mercer	ay		
	Mr. Lee	no		
	Mr. Monroe	no	}	no
North-Carolina,	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay	}	no
		ay		

So it passed in the negative.

A motion was then made by Mr. M'Henry, seconded by Mr. Spaight, That the first part of the report, from the word "*Resolved*," to the words and figures "total, 5,480,293. 33." inclusive; together with the paragraphs beginning with the words, "In order to present to the eye, down to the words, "and certified as in other cases," inclusive, be referred to the superintendant of finance to report.

And on this question, the yeas and nays being required by Mr. M'Henry.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,				

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Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} divided
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} divided
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} divided
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Chase	ay	} no
	Mr. Hardy	no	
	Mr. Mercer	no	} no
	Mr. Lee	no	
	Mr. Monroe	no	} *
North-Carolina,	Mr. Spaight	ay	
South Carolina,	Mr. Read	ay	} *

So the question was lost.

TUESDAY, APRIL 6, 1784.

Congress assembled—Present ten states, and from South-Carolina Mr. Read, as yesterday.

On motion of Mr. Paine, seconded by Mr. Howell,

*Resolved*, That another commissioner be appointed in addition to those appointed by the act of Congress of the 4th of March last, to negotiate with the Indians; and that to morrow be assigned for that purpose.

On the report of a committee consisting of Mr. Williamson, Mr. Jefferson and Mr. Read, to whom was referred a letter of November 4th, 1783, from major general Greene.

*Resolved*, That in consideration of the high price of all the necessaries of life in the southern states, while major general Greene commanded in that department, his account be credited with the sum of four thousand and forty-five dollars, and sixteen ninetieths of a dollar; together with the sum of thirty-eight thousand five hundred and ninety-one dollars, and sixty ninetieths of a dollar, of the old paper emissions as an allowance for extra expences, above the sums to which he was entitled as a major general commanding in a separate department.

*Resolved*,



*Resolved*, That the comptroller of accounts, do place to the credit of major general Greene, lately commanding the army of the United States in the southern department, the sum of three hundred and twenty nine pounds six shillings and three pence, Virginia currency, which appears by the affidavit of major William Pierce, late aid de camp to general Greene, to have been stolen from the trunk of major Pierce, while the public money was in his custody.

Congress took into consideration the report of a committee consisting of Mr. Ellery, Mr. Lee and Mr. Spaight, to whom was referred the report on general Greene's letter of 7th October 1783, respecting the compensation to be allowed to lieutenant colonel Mentges, as inspector of contracts for the southern army; and the resolution reported by the committee being under debate, viz.

That lieutenant colonel Mentges, be allowed as a compensation for his services, as inspector of contracts for the southern army, in addition to his pay as an officer in the line, the sum of           dollars per month, during the time he executed that office.

A motion was made by Mr. Read, seconded by Mr. Hand, to postpone the same in order to take into consideration the following motion.

"That it appears that lieutenant colonel Mentges executed the office of inspector of contracts to the southern army, by order of major general Greene, under the authority of the superintendant of finance, and which appointment appears to have been confirmed by the said superintendant actually paying two months pay of such office to lieutenant colonel Mentges—That he discharged the duties of the appointment with fidelity, and gave great satisfaction: Nor is there any limitation in the resolve of the 7th May 1782, to prevent the duties of that office being executed by an officer in the line; *Resolved* therefore, that lieutenant colonel Mentges is entitled to the sum of one hundred and sixty six and two thirds dollars per month, for executing the duties of inspector of contracts to the southern army."

And on the question to postpone for the the purpose above mentioned, the yeas and nays being required by Mr. Read.

New.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	"
Rhode-Island,	Mr. Ellery	no		
	Mr. Howell	no	}	no
Connecticut,	Mr. Sherman	no		
	Mr. Wadsworth	no	}	no
New-York,	Mr. De Witt	no		
	Mr. Paine	no	}	no
New-Jersey,	Mr. Beatty	no		
	Mr. Dick	no	}	no
Pennsylvania,	Mr. Mifflin	no		
	Mr. Hand	ay	}	divided
Maryland,	Mr. M <sup>r</sup> Henry	no		
	Mr. Stone	no	}	no
Virginia,	Mr. Hardy	ay		
	Mr. Mercer	ay	}	divided
	Mr. Lee	no		
	Mr. Monroe	no	}	divided
North-Carolina,	Mr. Williamson	no		
	Mr. Spaight	ay	}	divided
South-Carolina,	Mr. Read	ay		

So the question was lost.

*Ordered*, That the further consideration of the report be postponed till to-morrow.

On motion of Mr. Beatty, seconded by Mr. Ellery,

*Resolved*, That the postmaster general take order for discharging out of the revenue of the postoffice, the account of Jonathan Deare, and Joseph Olden, esquires, amounting to four pounds fifteen shillings, for their disbursements and services, in making enquiry into the robbery of the mail at Princeton, by order of governor Livingston in conformity to the act of Congress of 6th January last.

W E D N E S D A Y, APRIL 7, 1784.

Congress assembled—Present as yesterday.

According to order, Congress proceeded to the election of another commissioner, in addition to those appointed on the 4th of March last, to negotiate with the Indians; and the ballots being taken,

Mr. Philip Schuyler, was elected,

THURSDAY,



THURSDAY, APRIL 8, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina.

The delegates for the state of New-Jersey laid before Congress an act passed by the legislature of that state the 17th June 1783, entitled, "An act to authorise the delegates representing this state in the Congress of the United States, to ratify an alteration in one of the articles of the confederation," in the following words,

"Whereas it has been recommended by Congress to the several states in union, to authorise their respective delegates to subscribe and ratify an alteration in the eighth of the articles of confederation and perpetual union; and as the reasons urged by Congress appear to make the alteration recommended necessary; therefore

Sec. 1st. Be it enacted by the council and general assembly of this state, and it is hereby enacted by the authority of the same, That so much of the eighth of the articles of confederation and perpetual union, between the Thirteen States of America, as is contained in the words following, to wit, "All charges of war, and all other expences that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any person as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint," shall be, and the same is hereby revoked and made void, so far as the same extended to this state.

2. And be it further enacted, that it shall and may be lawful for the delegates representing this state in the Congress of the United States, and they are hereby required to subscribe and ratify the following as part of the said instrument of union, and in place of the part revoked and made void as aforesaid, to wit, "That all charges of



war, and all other expences that have been or shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, except so far as shall be otherwise provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the whole number of white and other free citizens and inhabitants of every age, sex and condition, including those bound to servitude for a term of years, and three fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes in each state," which said alteration when so subscribed and ratified, shall be deemed and held to be as sufficient and valid for the purposes therein mentioned, as the part herein before revoked and made void, was or ought to have been before the revocation and disannulling thereof."

Also an act passed the 11th of June 1783, entitled, "An act to authorise the United States in Congress assembled, to levy a duty on certain goods and merchandize imported into this state, from any foreign port, island or plantation, and for the appropriation thereof."

And an act passed the 20th December 1783, entitled, "An act for raising a revenue of thirty one thousand two hundred and fifty nine pounds five shillings per annum, for the term of twenty five years, for the purpose of paying the interest and principal of debts due from the United States, agreeably to a recommendation of Congress of the 18th day of April, one thousand seven hundred and eighty three, and for appropriating the same."

The above three acts being passed pursuant to the recommendations of the 18th April 1783.

On the report of a committee consisting of Mr. Lee, Mr. Gerry and Mr. Read, to whom were referred a letter of 13th March from the superintendant of finance, and one of 19th March from the marine office.

*Resolved*, That the agent of marine be directed to make sale, at public auction, of the ship Washington, for loan office certificates, or certificates for other liquidated debts due from the United States—that previous to the sale, the time, place and conditions thereof be advertised two months.

*Resolved*,

*Resolved*, That Congress approve of the conduct of the superintendant of finance in issuing notes for the payment of the sums ordered to general Armand, and sundry other French officers.

F R I D A Y, APRIL 9, 1784.

Congress assembled—Present New Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and North-Carolina; and from South-Carolina, Mr. Read.

S A T U R D A Y APRIL 10, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New York, New-Jersey, Pennsylvania, Maryland, Virginia; and from the state of North-Carolina, Mr. Williamson.

M O N D A Y, APRIL 12, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from the state of North-Carolina, Mr. Williamson.

Congress resumed the consideration of the report of the committee appointed to prepare and report to Congress the arrears of interest on the national debt, together with the interest and expences for the year 1784, from the first to the last day thereof inclusive, and a requisition of money on the states, when a motion was made by Mr. Jefferson, seconded by Mr. Lee, in that part where it is proposed, "that the states, be required to furnish within the course of the present year, such part of their deficiencies under the requisition of eight millions, as with their payments to the close of the last year, will make up three fourths of their original quota thereof;" that "three fourths" be struck out, and in lieu thereof, "one half" inserted: And on the question to agree to this amendment, the yeas and nays being required by Mr. Hand.

New-Hampshire,

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Hand	no	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	} ay
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	} .
North-Carolina,	Mr. Williamson	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Howell, seconded by Mr. Ellery, to strike out the words "three-fourths," and in lieu thereof, insert "three-fifths"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,			



New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Hand	no		
Maryland,	Mr. M'Henry	no	}	no
	Mr. Stone	no		
	Mr. Chase	no	}	no
Virginia,	Mr. Jefferson	no		
	Mr. Hardy	no	}	no
	Mr. Lee	ay		
	Mr. Monroe	no	}	ay
North-Carolina,	Mr. Williamson	ay		
South-Carolina,	Mr. Read	ay	}	ay
	Mr. Beresford	ay		

So the question was lost.

A motion was then made by Mr. Howell, seconded by Mr. Foster, to reconsider the first motion, to strike out "three-fourths," and insert "one half;" which being agreed to, on the question to agree to this amendment, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	no	}	divided
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	divided
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Hand	no		
Maryland,	Mr. M'Henry	ay	}	ay
	Mr. Stone	ay		
	Mr. Chase	ay	}	ay
Virginia,	Mr. Jefferson	ay		
	Mr. Hardy	ay	}	ay
	Mr. Lee	ay		
	Mr. Monroe	ay	}	ay

North-Carolina,

North-Carolina,	Mr. Williamson	ay	} *
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	

So it was resolved in the affirmative.

T U E S D A Y, APRIL 13, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina.

Congress took into consideration the report of a committee consisting of Mr. Lee, Mr. Howell and Mr. Williamson, to whom was recommitted their report on a letter of 24th March, from major general baron Steuben, together with the report of a committee respecting him entered on the journal of the 30th December 1782, and the first resolution reported by the committee being amended to read as follows.

“ That the resignation of baron Steuben, late inspector general and major general, be accepted; and that the superintendant of finance take order for paying him thirteen thousand dollars, as a compensation for the sacrifices he made when he entered the service of the United States, exclusive of all sums due to him as an officer in the service of the United States.

A motion was made by Mr. Gerry, seconded by Mr. Read, to postpone the consideration of the said resolution, in order to take up the following.

Whereas major general baron Steuben, at the instance of the friends of America, and with the advice and concurrence of the ministers of the United States in France, did in the latter end of the year 1777, come over to America, and producing the most honorable testimonials of his military rank and abilities, did proffer his services to Congress, declaring at the same time that he would not make any previous stipulations for a reward, but would leave it to be determined by Congress, after they should have proofs and experience of his merit and services. And whereas the abilities and zeal of that meritorious officer, in the department of inspector general, have been the principal

principal cause of introducing and perfecting discipline in our army, and establishing such a system of œconomy as produced an extraordinary reduction of expences; *Resolved*, That the superintendant of finance be directed to issue securities bearing an annual interest of six per cent. and payable as other debts due to the army, to the said major general baron Steuben, to the amount of forty five thousand dollars, in full of all sums due to him for pay, arrearages of pay, rations, subsistence, half pay or commutation, and of all other demands for services and sacrifices in the cause of the United States.

That the superintendant of finance be directed to advance in specie to the said baron Steuben, the sum of \_\_\_\_\_ in part payment of the preceding resolve: And on the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Miffin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So the question was lost.

WEDNESDAY



WEDNESDAY, APRIL 14, 1784.

Congress assembled—Present eleven states as yesterday.

On the report of a committee consisting of Mr. Beatty, Mr. Hand and Mr. Eliery, to whom was referred an account of captain Gassaway.

*Resolved*, That six dollars per day be allowed to captain John Gassaway, for thirty days, the time he was employed in carrying public dispatches to Virginia, in full for his services, horse hire and other expences, and that the amount thereof be charged on the revenue of the postoffice.

The delegates for the state of Pennsylvania, laid before Congress, an act passed pursuant to the act of Congress of the 18<sup>th</sup> April 1783, by the legislature of that state, on the 23<sup>d</sup> September 1783, entitled, "An act for levying a duty on certain enumerated articles, and an impost of five per cent ad valorem on all other goods, wares and merchandize, imported into this state, and a tax upon real and personal property, for the discharge of the debts of the United States of America, agreeable to acts of Congress therein recited, and for other purposes therein mentioned.

The delegates of the state of Rhode-Island and Providence Plantations, having informed Congress, that the legislature of said state, at their session in February last, passed the following resolutions, to wit, "*Resolved*, That the delegates of this state be, and they are hereby instructed to use their influence to obtain a recess of Congress as soon as the national business will possibly admit

It is further voted, that the delegates of this state request that honorable body to adjourn and convene at Rhode Island in the course of the next year, or as soon as may be convenient; and that Congress be informed, that if the aforesaid request shall be acceded to, this state will prepare suitable buildings for their accommodation." And thereupon moved,

That on the twenty sixth day of May next, the president adjourn this Congress until the twenty sixth day of October next, then to meet at Newport, in the state of Rhode Island.

Rhode-Island and Providence Plantations, and if a sufficient number of members to form a house, should not then meet, that all the business before this Congress unfinished at the time of said adjournment, be referred to the United States in Congress, who shall be assembled at said Newport, on the first Monday in November next.

A motion was made by Mr. Jefferson, seconded by Mr. Hardy, to strike out the words "then to meet at Newport, in the state of Rhode-Island and Providence Plantations," and afterwards the words "at said Newport"—And on the question, Shall those words stand? the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Miffin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no		
Maryland,	Mr. M'Henry	no	}	no
Virginia,	Mr. Jefferson	no		
	Mr. Hardy	no		
	Mr. Mercer	no		
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	no	}	no
	Mr. Spaight	no		
South-Carolina,	Mr. Read	no	}	no
	Mr. Beresford	no		

So it passed in the negative, and the words were struck out.

A motion was then made by Mr. Montgomery, seconded by Mr. Hand, in lieu of the words struck out, to insert "to meet at Philadelphia"—And on the question to agree to this, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Miffin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	
Virginia,	Mr. Jefferson	no	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Spaight	ay	} *
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	

So it passed in the negative.

A motion was then made by Mr. Monroe, seconded by Mr. M'Henry, to postpone the further consideration of the motion under debate, in order to take up the following.

That the states of Maryland and Virginia be informed, that provided they will advance the United States pounds, for the erecting the necessary buildings for the reception of Congress at or near George-Town, at the falls of Potomack, it shall be allowed them in the requisitions made on them for the year by the United States in Congress assembled.

And on the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Monroe,

New Hampshire,



New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	divided
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no	}	ay
Maryland,	Mr. M'Henry	ay		
	Mr. Stone	ay	}	ay
	Mr. Chase	ay		
Virginia,	Mr. Jefferson	ay	}	ay
	Mr. Hardy	ay		
	Mr. Mercer	ay	}	divided
	Mr. Monroe	ay		
North-Carolina,	Mr. Williamson	ay	}	divided
	Mr. Spaight	no		
South-Carolina,	Mr. Read	ay	}	ay
	Mr. Beresford	ay		

So it passed in the negative.

A motion was then made by Mr. Jefferson, seconded by Mr. Monroe, in lieu of the words struck out, to insert "Alexandria"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Monroe.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		

New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no		
Maryland,	Mr. M'Henry	no	}	no
	Mr. Stone	no		
	Mr. Chase	no		
Virginia,	Mr. Jefferson	ay	}	ay
	Mr. Hardy	ay		
	Mr. Mercer	ay		
	Mr. Monroe	ay		
North-Carolina,	Mr. Williamson	no	}	no
	Mr. Spaight	no		
South-Carolina,	Mr. Read	no	}	no
	Mr. Beresford	no		

So it passed in the negative.

A motion was made by Mr. Beatty, seconded by Mr. Sherman, in lieu of the words struck out, to insert "to meet at Trenton, in the state of New-Jersey, agreeably to their act of the 21st of October last"—And on the question to agree to this, the yeas and nays being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay		
				Maryland,

Maryland,	Mr. M <sup>c</sup> Henry	no	}	no
	Mr. Stone	no		
	Mr. Chase	no		
Virginia,	Mr. Jefferson	no	}	no
	Mr. Hardy	no		
	Mr. Mercer	no		
North-Carolina,	Mr. Williamfon	ay	}	divided
	Mr. Spaight	no		
South-Carolina,	Mr. Read	no	}	no
	Mr. Beresford	no		

So it was resolved in the affirmative.

A motion was then made by Mr. Jefferson, for a further amendment by adding immediately after the words inserted, these words, to wit, " provided a committee of the states shall have been previously constituted." On this amendment the previous question was moved by the state of Massachusetts, seconded by the state of New-Jersey—and on the question to agree to the previous question, the yeas and nays being required by Mr. Spaight,

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	no	}	divided
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no		
Maryland,	Mr. M <sup>c</sup> Henry	no	}	no
	Mr. Stone	no		
	Mr. Chase	no		
Virginia,	Mr. Jefferson	no	}	no
	Mr. Hardy	no		
	Mr. Mercer	no		
	Mr. Monroe	no		

North



North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

THURSDAY, APRIL 15, 1784.

Congress assembled.—Present eleven states as yesterday. Congress resumed the consideration of the report on the letter of the 24th March, from major general baron Steuben; and thereupon

*Resolved*, That the resignation of baron Steuben, late inspector general and major general, be accepted.

That the thanks of the United States in Congress assembled be given to baron Steuben, for the great zeal and abilities he has discovered in the discharge of the several duties of his office; that a gold hilted sword be presented to him, as a mark of the high sense Congress entertain of his character and services, and that the superintendant of finance take order for procuring the same.

That the proper officers proceed to the liquidation of monies due from the United States, to major general baron Steuben; that the superintendant of finance report to Congress his opinion of the most speedy and efficacious means of procuring and paying the same either here or in Europe.

That baron Steuben be assured that Congress will adopt these or such others as shall appear most proper and effectual for doing him that justice which the peculiarity of his case authorises.

A motion was made by Mr. Jefferson, seconded by Mr. Gerry, that the sum of ten thousand dollars be presented to baron Steuben, for which the superintendant of finance will take order, on which the yeas and nays being required by Mr. Wadsworth,

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	

Rhode

Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Conne&icut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Hand	ay		
Maryland,	Mr. M'Henry	ay	}	ay
	Mr. Stone	ay		
Virginia,	Mr. Jefferson	ay	}	ay
	Mr. Mercer	ay		
North-Carolina,	Mr. Williamson	no	}	divided
	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay	}	ay
	Mr. Beresford	ay		

So the question was lost.

A motion was then made by Mr. Paine, seconded by Mr. Gerry, that the sum of 8000 dollars be presented to baron Steuben, on which the yeas and nays being required by Mr. Wadsworth.

New-Hampshire,	Mr. Foster	no	)	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	ay	)	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	no	)	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	)	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	)	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	)	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	)	ay
	Mr. Hand	ay		
Maryland,	Mr. M'Henry	ay	)	ay
	Mr. Stone	ay		
Virginia,	Mr. Jefferson	ay	)	ay
	Mr. Mercer	ay		

North-

North-Carolina,	Mr. Williamson,	ay)	ay
	Mr. Spaight	ay)	ay
South-Carolina,	Mr. Read	ay)	ay
	Mr. Beresford	ay)	ay

So the question was lost.

On motion of Mr. Sherman, seconded by Mr. Ellery,  
*Resolved*, That the superintendant of finance take order  
 for immediately advancing to baron Steuben, on account,  
 the sum of ten thousand dollars.

On the question to agree to this, the yeas and nays be-  
 ing required by Mr. Ellery.

New Hampshire,	Mr. Foster,	ay)	ay
	Mr. Blanchard	ay)	ay
Massachusetts,	Mr. Gerry	ay)	ay
	Mr. Partridge	ay)	ay
Rhode-Island,	Mr. Ellery	ay)	ay
	Mr. Howell	ay)	ay
Connecticut,	Mr. Sherman	ay)	ay
	Mr. Wadsworth	ay)	ay
New-York,	Mr. De Witt	ay)	ay
	Mr. Paine	ay)	ay
New-Jersey,	Mr. Beatty	ay)	ay
	Mr. Dick	ay)	ay
Pennsylvania,	Mr. Miffin	ay)	ay
	Mr. Montgomery	ay)	ay
	Mr. Hand	ay)	ay
Maryland,	Mr. M'Henry	ay)	ay
	Mr. Stone	ay)	ay
Virginia,	Mr. Jefferson	ay)	ay
	Mr. Mercer	ay)	ay
North-Carolina,	Mr. Williamson	ay)	ay
	Mr. Spaight	ay)	ay
South-Carolina,	Mr. Read	ay)	ay
	Mr. Beresford	ay)	ay

So it was resolved in the affirmative.

On the report of a committee consisting of Mr. Howell,  
 Mr. Gerry and Mr. Williamson, to whom was referred  
 a letter of the 19th March, from major general baron  
 Steuben, late inspector general, informing that he had  
 appointed major North, inspector to the troops under the  
 command of general Knox.

*Resolved,*



*Resolved*, That Congress approve of and confirm the appointment of major William North, as inspector to the troops remaining in the service and pay of the United States.

On the question to agree to this, the yeas and nays being required by Mr. Wadsworth.

New-Hampshire,	Mr. Foster	ay	} divided
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
Maryland,	Mr. Hand	ay	} ay
	Mr. M <sup>r</sup> Henry	ay	
Virginia,	Mr. Stone	ay	} ay
	Mr. Jefferson	ay	
North-Carolina,	Mr. Mercer	ay	} ay
	Mr. Williamson	ay	
South Carolina,	Mr. Spaight	ay	} ay
	Mr. Read	ay	
	Mr. Beresford	ay	

So it was resolved in the affirmative.

On the report of a committee consisting of Mr. Read, Mr. Beatty and Mr. M<sup>r</sup>Henry, to whom was referred a petition of Philip Strubing, a citizen of Geneva, and late a lieutenant of dragoons in the service of the United States.

*Resolved*, That a brevet commission of captain in the army of the United States, be issued to lieutenant Philip Strubing, late of Van Heer's corps.

*Resolved*, That the instruction of the 22d January last to the superintendant of finance, in favor of certain foreign officers, be considered by him as extending, and it is here-

by extended to lieutenant Philip Strubing, late of Van Heer's corps, in the service of the United States of America.

Congress resumed the consideration of the report on the letter from major general Greene, respecting colonel Mentges; and thereupon

*Resolved*; That lieutenant colonel Mentges be allowed as a compensation for his services as inspector of contracts for the southern army, in addition to his pay as an officer in the line, the sum of one hundred and ten dollars per month, during the time he executed that office.

On the report of a committee consisting of Mr. Lee, Mr. M'Henry and Mr. Ellery, to whom was referred a letter from the secretary at war, on the case of lieutenant Jolibois.

*Resolved*, That Mr. Jolibois be allowed the pay of a lieutenant from the 4th of October 1781, to the 3d of November 1783; and that certificates be given to him for the same.

On the report of a committee consisting of Mr. Peters, Mr. Williamson and Mr. Clarke, to whom were referred a memorial of Andrew Lytle, and sundry papers accompanying the same.

*Resolved*, That the said memorial and papers be referred to the superintendant of finance to report.

On the report of a committee consisting of Mr. Ellery, Mr. Beatty and Mr. Foster, to whom was referred a letter of 16th January, from the superintendant of finance, as agent of marine, respecting a claim of captain Greene and others.

*Resolved*, That no extra allowance be made to naval officers who have been or who may be employed on courts martial in the state, where they reside at the time of holding the same, or where the ships or vessels of war, to which they belong did or may lie at the time of their being so employed.

That the agent of marine report to Congress, a reasonable allowance per day for such naval officers, as have been or shall be employed on courts martial out of the states of their residence, or in a state where the ships or vessels of war to which they were or may be attached did  
not

not or shall not lie at the time of their being so employed.

On the report of a committee consisting of Mr. Williamson, Mr. Ellery and Mr. Sherman, to whom was referred a report of the superintendant of finance of the 6th November last, on the memorial of sundry officers late in the department of the issuing commissary.

*Resolved*, That the superintendant of finance cause the accounts of the late issuing commissaries to be settled with all convenient dispatch after the several charges shall have been exhibited against the late head of the department, and they shall have delivered in their returns, books and vouchers, provided they shall when the same may be required, confirm by oath the accounts of issues which they may exhibit; provided also, that before any certificates shall be given for balances that may appear due to any of the said issuing commissaries, they shall give security equal to the amount of such certificate, that in case any error shall hereafter appear in the statement of their accounts, they shall be answerable for the same.

On the report of said committee, to whom was referred a memorial of James Gamble, late deputy commissary of issues, touching money stolen.

*Resolved*, That as it appears that two thousand dollars of the new emission of the state of Rhode Island, were delivered to James Gamble, as pay for himself and his deputies, and that the said Gamble, afterwards considered the greatest part of the money as private property, belonging to himself or to his assistants, and as such ordered it to be taken to Rhode Island, and there negotiated for specie, the request of the memorialist that the said money be not charged to him, cannot be granted.

On the report of a committee consisting of Mr. Gerry, Mr. Ellery and Mr. Williamson, to whom was referred a report from the superintendant of finance, on a motion of Mr. Clark, respecting certificates issued from the treasury office on liquidated debts.

*Resolved*, That the superintendant of finance be, and he is hereby directed to report to Congress, the form of a concise power of attorney to be used by the respective holders in transferring such certificates, and also the mode



mode of executing such power both within and without the jurisdiction of the United States.

On the report of a committee consisting of Mr. Williamson, Mr. B. Huntington and Mr. Ellery, to whom was referred a memorial of J. Pierce, paymaster general.

*Resolved*, That in settling the accounts of Mr. John Pierce, the paymaster general, he be allowed at the rate of one hundred and fifty dollars per month, besides the rations that are drawn by a lieutenant colonel.

The committee further reported that Mr. Pierce, be allowed in consideration of his additional services in settling the accounts of the army, at the rate of one hundred dollars per month while employed in that service.

On the question to agree to this, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	ay	}	divided
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
Maryland,	Mr. Hand	ay	}	no
	Mr. M'Henry	no		
Virginia,	Mr. S one	no	}	divided
	Mr. Jefferson	no		
South-Carolina,	Mr. Mercer	ay	}	ay
	Mr. Read	ay		
	Mr. Beresford	ay		

So it passed in the negative.

F R I D A Y, APRIL 16, 1784.

Congress assembled—Present eleven states as yesterday. The

The committee consisting of Mr. Williamson, Mr. Lee and Mr. Read, to whom was referred a letter of 7th, from the honorable the minister plenipotentiary of France, relative to the late baron de Kalb, and colonel Radiere, and to lieutenant colonels Fleury and Gimat, having reported thereon.

*Resolved*, That the said report be referred to the superintendant of finance to take order.

On the report of a committee consisting of Mr. Gerry, Mr. Jefferson and Mr. Read, to whom were referred a letter of the 13th of August, from his most Christian Majesty, and a memorial from the honorable the minister plenipotentiary of France,

*Resolved*, That the letter reported by the committee, be signed by the president, in behalf of the United States in Congress assembled, and transmitted to his most Christian Majesty, in answer to his letter accompanying the portraits of his majesty and of his royal consort, which he has been pleased to present to Congress,

*Resolved*, That the president inform the honorable the minister of France, that Congress have a due sense of the care which he has taken for preserving the portraits, and are desirous that they may continue in his possession until proper places can be provided for them.

That a letter be addressed by the president to the supreme executives of the several states, informing them of the intelligence communicated by the minister of France, to wit, "That his most Christian Majesty has determined that L'Orient, shall be a free port, and although the edict is not published, may be so considered by the citizens of the United States:—And that the merchants of the United States, likewise enjoy the liberty of frequenting the ports of Marseilles and Dunkirk, and participate, as other nations, the franchises and privileges of these two places."

That the minister of France, in answer to his letter of 9th instant, requesting to know what measures had been taken by the United States, relative to the payments of the portions of the principal and interest of the loan of eighteen million livres furnished by his most Christian Majesty, and also of five million florins supplied in Holland, and guaranteed by his majesty, be informed that

as all the legislatures have not yet passed on the recommendations of Congress of the 18th April 1783, for establishing permanent funds, supplementary requisitions on the states will be adopted to provide for the interest of the loans aforesaid for the present year, and that the greatest care will be taken by subsequent measures for the punctual payment of the principal and interest, as they may respectively become due, according to the terms of the several contracts.

On a report from the late secretary at war, to whom was referred a petition from several officers of the Pennsylvania line,

*Resolved*, That the secretary in the war office be, and he is hereby directed to issue warrants on the paymaster general, in favour of colonel Craig, lieutenant Stricker, captain Seely, lieutenant Thornbury and captain Claypoole, for a like sum that has been allowed to other officers of the Pennsylvania line, to refund their expences in returning from South-Carolina.

On the report of a committee consisting of Mr. Hardy, Mr. Partridge and Mr. Chase, to whom was referred a memorial of Robert Patton.

*Resolved*, That the sum of ten dollars per month be allowed to Robert Patton, messenger, in addition to his salary, from the 12th of November last, until the 26th day of May next.

The committee consisting of Mr. Williamson, Mr. Partridge and Mr. Lee, to whom was referred a letter of February 5, from brigadier general Hazen, having reported,

“ That in settling the accounts of brigadier general Moses Hazen, he be allowed the pay and subsistence of a brigadier general in the line of the army, so long as he may have commanded a brigade, and not longer.”

A motion was made by Mr. Partridge, seconded by Mr. Beresford, to strike out “ subsistence,” and in lieu thereof insert “ emoluments;” and to strike out what follows “ brigadier general,” and in lieu thereof insert, “ from the date of his brevet commission as brigadier”—And on the question to agree to this amendment, the yeas and nays being required by Mr. Williamson.

New-Hampshire,



New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New Jersey,	Mr. Dick	no	} *
Pennsylvania,	Mr. Mifflin	ay	
	Mr. Montgomery	no	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

The question being then put to agree to the report of the committee—was also lost.

MONDAY, APRIL 19, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina; and from the state of New-Jersey, Mr. Dick.

On the report of a committee consisting of Mr. Gerry, Mr. Sherman and Mr. Lee, to whom was referred a motion of Mr. Gerry.

*Resolved*, That the legislatures of the several states be informed that whilst they are respectively represented in Congress by two delegates only, such an unanimity for conducting the most important public concerns is necessary as can be rarely expected. That if each of the thirteen states should be represented by two members, five out of twenty

twenty-six, being only a fifth of the whole, may negative any measures requiring the voice of nine states—That of eleven states now on the floor of Congress, nine being represented by only two members from each, it is in the power of three out of twenty five, making only one eighth of the whole to negative such a measure, notwithstanding that by the articles of confederation, the dissent of five out of thirteen being more than one-third of the number, is necessary for such a negative. That in a representation of three members from each state, not less than ten of thirty-nine could so negative a matter requiring the voice of nine states—That from facts under the observation of Congress they are clearly convinced that a representation of two members from the several states, is extremely injurious by producing delays, and for this reason is likewise much more expensive than a general representation of three members from each state—That therefore Congress conceive it to be indispensibly necessary and earnestly recommend that each state, at all times when Congress are sitting, be hereafter represented by three members at least; as the most injurious consequences may be expected from the want of such representation.

On the report of a committee consisting of Mr. Ellery, Mr. Beatty and Mr. Foster, to whom was referred a letter of 21st January, from the superintendant of finance, relative to an account of Tench Francis.

*Resolved*, That the sum of four hundred and six dollars and sixty ninetieths of a dollar, be passed to the credit of Tench Francis, in the treasury books, being the amount of an error in the receipt given by him on account of the United States for three hundred and sixty-six crowns more than he received.

That the superintendant of finance report to Congress a reasonable allowance for the time and expences of said T. Francis, while employed in the year 1782, in going to Boston and superintending the bringing from thence the money imported by the chevalier de Langle.

Congress took into consideration the report of a committee consisting of Mr. Jefferson, Mr. Chase and Mr.





territory, and the following clause being under debate, viz. That they shall be subject to the government of the United States in Congress assembled, and to the articles of confederation in all those cases in which the original states shall be so subject.

A motion was made by Mr. Sherman, seconded by Mr. Ellery, to strike out the words, "to the government of the United States in Congress assembled, and"

And on the question, Shall the words moved to be struck out, stand? the yeas and nays being required by Mr. Ellery.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Dick	no	} *
	Mr. Mifflin	no	
Pennsylvania,	Mr. Montgomery	ay	} no
	Mr. Hand	no	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Chase	ay	} no
	Mr. Jefferson	no	
North-Carolina,	Mr. Hardy	no	} no
	Mr. Mercer	ay	
South-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
	Mr. Read	ay	} divided
	Mr. Beresford	no	

So the question was lost, and the words were struck out.

In the clause "provided the temporary and permanent governments be established on these principles, &c." A motion was made by Mr. Williamson, seconded by Mr. Read, to strike out the words "temporary and"—And on

on the question, Shall those words stand? the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Dick	ay	]	*
Pennsylvania,	Mr. Mifflin	ay		
	Mr. Montgomery	ay	}	ay
	Mr. Hand	ay		
Maryland,	Mr. M <sup>r</sup> Henry	ay	}	ay
	Mr. Stone	ay		
	Mr. Chase	ay	}	
Virginia,	Mr. Jefferson	ay		
	Mr. Hardy	ay	}	ay
	Mr. Mercer	ay		
North-Carolina,	Mr. Williamson	no	}	divided
	Mr. Spaight	a		
South Carolina,	Mr. Read	no	}	divided
	Mr. Beresford	ay		

So it was resolved in the affirmative.

In the following clause, "That their respective governments shall be republican, and shall admit no person to be a citizen who holds any hereditary title."

A motion was made by Mr. Hand, seconded by Mr. Read, to strike out the words, "and shall admit no person to be a citizen who holds any hereditary title"—And on the question, Shall those words stand? the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	a		
Connecticut,				

Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Dick	no	} *
Pennsylvania,	Mr. Mifflin	no	
	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	} ay
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} no
North-Carolina,	Mr. Mercer	ay	
	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost, and the words were struck out.

In the following clause; "provided nine states agree to such admission, according to the reservation of the eleventh of the articles of confederation."

A motion was made by Mr. Gerry, seconded by Mr. Partridge, to strike out the words, "nine states agree to," and the words, "the reservation of the eleventh of," and after "admission," to insert the word "be," so that it read, Provided such admission be according to the articles of confederation—And on the question to agree to this amendment, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	

New-Jersey,



New-Jersey,	Mr. Dick	no	] *
Pennsylvania,	Mr. Mifflin	ay	
	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	} .
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Williamson, seconded by Mr. Gerry, to strike out the words, "nine states agree," and in lieu thereof insert, "the consent of so many states in Congress is first obtained as may at the time be competent," and then strike out what follows "admission"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Dick	no	] *
Pennsylvania,	Mr. Mifflin	ay	
	Mr. Montgomery	no	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	} Virginia,

Virginia,	Mr. Jefferson	ay	} ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

W E D N E S D A Y, APRIL 21, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina.

Congress resumed the consideration of the report on the plan of a temporary government of the western territory,

And on the following clause, "That the settlers on any territory so purchased and offered for sale shall, either on their own petition or on the order of Congress, receive authority from them with appointment of time and place, for their free males of full age within the limits of their state, to meet together for the purpose of establishing a temporary government, to adopt the constitution and laws of any one of the original states.

A motion was made by Mr. Gerry, seconded by Mr. Jefferson, to strike out the first part of the said clause as far as to the words "full age," inclusive, and in lieu thereof to insert,

That on the petition of the settlers on any territory so purchased of the Indians, or otherwise obtained and sold to individuals, or on the order of Congress, authority may be given by Congress with appointment of time and place, for all free males of full age being citizens of the United States, and owning lands or residing.

And on the question to agree to this amendment, the yeas and nays being required by Mr. Montgomery.

New-Hampshire,	Mr. Foster	ay	} divided
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} divided
	Mr. Partridge	no	

Rhode-

Rhode-Island,	Mr. Ellery	<i>no</i>	} <i>no</i>
	Mr. Howell	<i>no</i>	
Connecticut,	Mr. Sherman	<i>ay</i>	} <i>divided</i>
	Mr. Wadsworth	<i>no</i>	
New-York,	Mr. De Witt	<i>no</i>	} <i>divided</i>
	Mr. Paine	<i>ay</i>	
New-Jersey,	Mr. Beatty	<i>no</i>	} <i>no</i>
	Mr. Dick	<i>no</i>	
Pennsylvania,	Mr. Miffin	<i>ay</i>	} <i>ay</i>
	Mr. Montgomery	<i>no</i>	
	Mr. Hand	<i>ay</i>	
Maryland,	Mr. M'Henry	<i>ay</i>	} <i>ay</i>
	Mr. Stone	<i>ay</i>	
	Mr. Chase	<i>no</i>	
Virginia,	Mr. Jefferson	<i>ay</i>	} <i>ay</i>
	Mr. Hardy	<i>ay</i>	
	Mr. Mercer	<i>ay</i>	
North-Carolina,	Mr. Williamson	<i>ay</i>	} <i>divided</i>
	Mr. Spaight	<i>no</i>	
South-Carolina,	Mr. Read	<i>ay</i>	} <i>ay</i>
	Mr. Beresford	<i>ay</i>	

So the question was lost.

A motion was then made by Mr. Gerry, seconded by Jefferson, to amend the report by inserting immediately after the principal or condition, "That the respective governments shall be republican," the following.

That the lands and improvements thereon of non resident proprietors shall in no case be taxed higher than those of residents within any new state, before the admission thereof to a vote by its delegates in Congress.

A motion was made by Mr. Howell seconded by Mr. Montgomery to amend the amendment by striking out the words, "and improvements thereon;" And on the question, Shall those words stand? the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	<i>no</i>	} <i>no</i>
	Mr. Blanchard	<i>no</i>	
Massachusetts,	Mr. Gerry	<i>ay</i>	} <i>ay</i>
	Mr. Partridge	<i>ay</i>	
Rhode-Island,	Mr. Ellery	<i>no</i>	} <i>no</i>
	Mr. Howell	<i>no</i>	

Connecticut,



Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	no	
Maryland,	Mr. Hand	ay	} ay
	Mr. M <sup>c</sup> Henry	ay	
	Mr. Stone	no	} ay
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	} ay
	Mr. Williamson,	ay	
North-Carolina,	Mr. Spaight	ay	} ay
	Mr. Read	ay	
South-Carolina,	Mr. Beresford	no	} divided

So the question was lost, and the words were struck out.

A motion was then made by Mr. Howell, seconded by Mr. Ellery, to amend the amendment further, by striking out the words, "before the admission thereof to a vote by its delegates in Congress:" And on the question, Shall those words stand? the yeas and nays being required by Mr. Partridge.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery,	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	

New-Jersey,

New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	no	
	Mr. Hand	ay	} ay
Maryland,	Mr. M'Henry	ay	
	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	} ay
North-Carolina,	Mr. Williamson	ay	
	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So it was resolved in the affirmative.

On the question to agree to the amendment as amended, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Folter	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	no	
	Mr. Hand	ay	} ay
Maryland,	Mr. M'Henry	ay	
	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	} ay

North-Carolina,	Mr. Williamson,	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So it was resolved in the affirmative, to amend the report by inserting,

That the lands of non resident proprietors shall in no case be taxed higher than those of residents within any new state, before the admission thereof to a vote by its delegates in Congress.

A motion was then made by Mr. Read, seconded by Mr. M'Henry, to amend the report farther, by adding thereto,

That till such time as the settlers aforesaid, shall have adopted the constitution and laws of some one of the original states as aforesaid, for a temporary government, the said settlers shall be ruled by magistrates to be appointed by the United States in Congress assembled, and under such laws and regulations as the United States in Congress assembled shall direct.

On the question to agree to this amendment, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Dick	ay	] *
	Mr. Mifflin	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Chase	ay	} ay
	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	

North-



North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

THURSDAY, APRIL 22, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from the State of Maryland, Mr. Stone.

The committee consisting of Mr. Sherman, Mr. Ellery and Mr. Partridge, to whom was referred a letter of 17th from baron Steuben, relative to lieutenant colonel Ternant, report that upon a perusal of the said letter, the report of the secretary at war of May last, and other papers relative to the rank and services of lieutenant colonel Ternant, they are of opinion that the various and important offices intrusted to him, have been executed in a manner honorable to himself and highly beneficial to the United States, and that he was justly entitled to the commission of a lieutenant colonel commandant upon the promotion of general Armand: Whereupon,

*Resolved*, That the commission of colonel in the legionary corps, to which he was attached, be granted to lieutenant colonel Ternant, to bear date from the promotion of general Armand.

Congress resumed the consideration of the report of the grand committee appointed to prepare and report to Congress, the arrears of interest &c. when a motion was made by Mr. Hand, seconded by Mr. Jefferson, to amend by inserting “commutation to the army agreeable to the act of 22d March 1783—5,000,000—interest thereon 300,000” immediately before “total”—And on the question to agree to this amendment, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Partridge	no	} *

Rhode-

Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	no
Maryland,	Mr. Stone	no		
Virginia,	Mr. Jefferson	ay	}	ay
	Mr. Hardy	ay		
	Mr. Mercer	no	}	ay
North-Carolina,	Mr. Williamson	ay		
	Mr. Spaight	ay	}	ay
South-Carolina,	Mr. Read	ay		
	Mr. Beresford	ay	}	ay

So the question was lost.

A motion was then made by Mr. Sherman, seconded by Mr. Wadsworth, to strike out the four last items in the statement from "1784. Dec. 31. Loan office debt" to "army debt," &c. both inclusive—And on the question, Shall that part of the report stand? the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Partridge	no	}	no
Rhode-Island,	Mr. Ellery	no		
	Mr. Howell	no	}	no
Connecticut,	Mr. Sherman	no		
	Mr. Wadsworth	no	}	no
New-York,	Mr. De Witt	no		
	Mr. Paine	ay	}	divided.
New-Jersey,	Mr. Beatty	no		
	Mr. Dick	no	}	no
Pennsylvania,	Mr. Mifflin	ay		
	Mr. Montgomery	no	}	ay
	Mr. Hand	ay		
Maryland,	Mr. Stone	no	}	no

Virginia,

Virginia,	Mr. Jefferson	no	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	] *

So the question was lost; and that part of the report was struck out.

*Ordered*, That the farther consideration of the report be postponed till to morrow.

On the report of Mr. Olgood; Mr. Lee and Mr. Ellery,

*Resolved*, That the paymaster general be, and he hereby is directed to govern himself in settling the accounts of the army since the year 1779, by the payments made by the respective states to their lines, so that where the pay has been secured by any state, the same shall not be again secured by the United States.

F R I D A Y, APRIL 23, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, and South-Carolina.

On motion of Mr. Gerry, seconded by Mr. Howell.

*Resolved*, That to morrow be assigned for electing a commissioner to negotiate with the Indians, in the room of Mr. Stephen Higgenson, who has declined that office.

On motion of Mr. Read, seconded by Mr. Hand.

*Resolved*, That to morrow be assigned for electing a commissioner to negotiate with the Indians, in the room of Mr. Nathaniel Greene, who has declined that office.

Congress resumed the consideration of the report of a committee on a plan for a temporary government of the western territory.

A motion was made by Mr. Gerry, seconded by Mr. Williamson, to amend the report by inserting after the words, " but not of voting," the following clause.

" That measures not inconsistent with the principles of the confederation, and necessary for the preservation of peace and good order among the settlers in any of the said  
new



new states, until they shall assume a temporary government as aforesaid, may from time to time be taken by the United States in Congress assembled.

A motion was made by Mr. Read, seconded by Mr. Spaight, to postpone that amendment in order to take up the following.

That until such time as the settlers aforesaid, shall have adopted the constitution and laws of some one of the original states as aforesaid, for a temporary government the said settlers shall be ruled by magistrates to be appointed by the United States in Congress assembled, and under such laws and regulations as the United States in Congress assembled shall direct.

On the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} *
Connecticut,	Mr. Sherman	no	
	Mr. Wadsworth	no	} no
New-York,	Mr. De Witt	ay	
	Mr. Paine	no	} divided
New-Jersey,	Mr. Beatty	no	
	Mr. Dick	no	} no
Pennsylvania,	Mr. Mifflin	ay	
	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	no	} no
	Mr. Mercer	ay	
	Mr. Monroe	no	} no
North-Carolina,	Mr. Williamson	no	
	Mr. Spaight	ay	} divided
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	no	} divided

So the question was lost.

The amendment of Mr. Gerry being adopted, the report as amended, was agreed to as follows.

*Resolved,*

*Resolved*, That so much of the territory ceded or to be ceded by individuals states to the United States, as is already purchased or shall be purchased of the Indian inhabitants, and offered for sale by Congress, shall be divided into distinct states in the following manner, as nearly as such cessions will admit; that is to say, by parallels of latitude, so that each state shall comprehend from north to south two degrees of latitude, beginning to count from the completion of forty-five degrees north of the equator; and by meridians of longitude, one of which shall pass through the lowest point of the rapids of Ohio, and the other through the western cape of the mouth of the great Kanhaway: but the territory eastward of this last meridian, between the Ohio, lake Erie, and Pennsylvania, shall be one state whatsoever may be its comprehension of latitude. That which may lie beyond the completion of the 45th degree between the said meridians shall make part of the state adjoining it on the south; and that part of the Ohio, which is between the same meridians coinciding nearly with the parallel of 39° shall be substituted so far in lieu of that parallel as a boundary line.

That the settlers on any territory so purchased and offered for sale shall, either on their own petition or on the order Congress, receive authority from them, with appointments of time and place, for their free males of full age within the limits of their state to meet together, for the purpose of establishing a temporary government, to adopt the constitution and laws of any one of the original states; so that such laws nevertheless shall be subject to alteration by their ordinary legislature; and to erect subject to a like alteration, counties, townships, or other divisions, for the election of members for their legislature.

That when any such state shall have acquired twenty thousand free inhabitants, on giving due proof thereof to Congress, they shall receive from them authority with appointments of time and place, to call a convention of representatives to establish a permanent constitution and government for themselves. Provided that both the temporary and permanent governments be established on these principles as their basis.

First.

First. That they shall for ever remain a part of this confederacy of the United States of America.

Second. That they shall be subject to the articles of confederation in all those cases in which the original states shall be so subject, and to all the acts and ordinances of the United States in Congress assembled, conformable thereto.

Third. That they in no case shall interfere with the primary disposal of the soil by the United States in Congress assembled, nor with the ordinances and regulations which Congress may find necessary for securing the title in such soil to the bona fide purchasers.

Fourth. That they shall be subject to pay a part of the federal debts contracted or to be contracted, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states.

Fifth. That no tax shall be imposed on lands the property of the United States.

Sixth. That their respective governments shall be republican.

Seventh. That the lands of non resident proprietors shall in no case be taxed higher than those of residents within any new state, before the admission thereof to a vote by its delegates in Congress.

That whensoever any of the said states shall have of free inhabitants, as many as shall then be in any one the least numerous of the thirteen original states, such state shall be admitted by its delegates into the Congress of the United States, on an equal footing with the said original states; provided the consent of so many states in Congress is first obtained as may at the time be competent to such admission. And in order to adapt the said articles of confederation to the state of Congress when its numbers shall be thus encreased, it shall be proposed to the legislatures of the states, originally parties thereto, to require the assent of two thirds of the United States in Congress assembled, in all those cases wherein by the said articles, the assent of nine states is now required, which being agreed to by them shall be binding on the new states. Until such admission by their delegates into Congress,



Congress, any of the said states after the establishment of their temporary government shall have authority to keep a member in Congress, with a right of debating but not of voting.

That measures not inconsistent with the principles of the confederation, and necessary for the preservation of peace and good order among the settlers in any of the said new states until they shall assume a temporary government as aforesaid, may from time to time be taken by the United States in Congress assembled.

That the preceding articles shall be formed into a charter of compact; shall be duly executed by the president of the United States in Congress assembled, under his hand, and the seal of the United States; shall be promulgated; and shall stand as fundamental constitutions between the thirteen original states, and each of the several states now newly described, unalterable from and after the sale of any part of the territory of such state, pursuant to this resolve, but by the joint consent of the United States in Congress assembled, and of the particular state within which such alteration is proposed to be made.

On the question to agree to the foregoing, the yeas and nays being required by Mr. Beresford.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	ay
Maryland,	Mr. Stone	ay		
	Mr. Chase	ay	}	ay
		ay		
	U			Virginia,

Virginia,	Mr. Jefferson	ay	} ay
	Mr. Mercer	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it was resolved in the affirmative.

SATURDAY, APRIL 24, 1784.

Congress assembled—Present as yesterday.

A motion was made by Mr. Hand, seconded by Mr. Montgomery, in the words following.

“Whereas Congress have by their resolution of the 23d day of January last, on the petition of Zebulon Butler and others, directed the institution of a court to determine the private right of soil within the territory westward of the Delaware, formerly in dispute between the states of Connecticut and Pennsylvania, agreeably to the ninth of the articles of confederation, and have assigned the fourth Monday in June next for the appearance of the parties by their lawful agents, before Congress or a committee of the states, to proceed in the premises as by the confederation is directed. And whereas the general assembly of the state of Pennsylvania have, by their resolutions of the 14th day of February last, instructed their delegates in Congress as follows——“In General Assembly, Saturday, February 14, 1784. A. M. *Resolved* 1st, That the delegates of this state be instructed to apply immediately to Congress for an explanation of their act of the 23d day of last month, it appearing to be uncertain whether the fourth Monday in June next, is fixed for the purpose of appointing commissioners or judges to constitute a court for hearing and determining the matter in question, or for the purpose of deciding how far the same is by the ninth article of confederation submitted to the determination of such a court.

2d. That if Congress by their said act meant the appointment of commissioners or judges next June, then the said delegates move for a reconsideration of the said act,

act, and represent to Congress, that the agents for the state of Connecticut did, upon the late trial at Trenton, suggest to the court there, that the tenants in possession of the lands in controversy, and particularly the companies of Delaware and Sulquehanna were improving and holding large tracts of land under title from the state of Connecticut; and that by the said article of confederation, a court is to be established for the trial of the private right of soil only where it is claimed under different grants of two or more states, so that Zebulon Butler and the other claimants cannot be entitled to such a court, unless they come within the description aforesaid, which it is apprehended they do not. That if Congress should consent to establish courts at the instance of persons not first proving themselves to be included in the description aforesaid, the citizens of this state may be harrassed by a multitude of pretended claims at the suit of adventurers or invaders of the state, and in the present instance at the suit of persons who have settled in defiance of the resolution of Congress of the 23d day of December 1775.

3d. That if Congress shall resolve that the matter in question is by the said article of the confederation, submitted to the determination of such a court, then the said delegates insist that Zebulon Butler, and the other claimants be required immediately to exhibit to Congress schedules particularizing their claims"—*Resolved*, That it was the intention of Congress by their act of the 23d day of January last, that commissioners or judges should be appointed on the fourth Monday in June next, agreeably to the ninth of the articles of confederation, to determine the private right of soil within the territory westward of the Delaware, formerly in controversy between the states of Connecticut and Pennsylvania, and lately determined to be within the jurisdiction of the state of Pennsylvania. Nevertheless as the petitioners aforesaid have not shewn to Congress that their claims to the private right of soil within the territory aforesaid originate from grants obtained from the state of Connecticut, which alone can entitle them to a court agreeably to the ninth of the articles of confederation, *Resolved*, That the resolution of the 23d day of January last, directing the institution of  
a court



a court for determining the private right of soil within the territory westward of the Delaware, formerly in controversy between the states of Connecticut and Pennsylvania, and appointing the fourth Monday in June next, for the appearance of the parties by their lawful agents before Congress or a committee of the states be, and it is hereby suspended, until Zebulon Butler, and the other petitioners claimants as aforesaid, exhibit to Congress or a committee of the states, schedules particularizing their claims. *Resolved*, That the parties claimants as aforesaid be informed that their appearance by their agents before Congress or a committee of the states as specified by the resolution of Congress of the 23d day of January last, will not be necessary until the further determinations of Congress or a committee of the states, in the premises be made known to them.

A motion was made by Mr. Howell, seconded by Mr. Montgomery, that the foregoing motion be committed—And on the question for commitment, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	no	}	divided.
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	no	}	divided.
	Mr. Dick	ay		
Pennsylvania,	Mr. Missin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	ay
Maryland,	Mr. Stone	ay		
	Mr. Chase	ay	}	ay
Virginia,	Mr. Jefferson	ay		
	Mr. Hardy	ay	}	ay
	Mr. Mercer	ay		
	Mr. Monroe	ay	}	North

North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved to commit it.

According to the order of the day, Congress proceeded to the election of two commissioners to negotiate with the Indians, in the room of Mr. S. Higgenson and Mr. N. Greene, who have declined that office; and the ballots being taken,

Mr. Benjamin Lincoln, and  
Mr. Arthur Lee were elected.

MONDAY, APRIL 26, 1784.

Congress assembled—Present eleven states as before.

A motion was made by Mr. Howell, seconded by Mr. Gerry,

That the president be, and he hereby is authorized and directed, to adjourn Congress on the third day of June next, to meet on the thirtieth of October next at Trenton, for the dispatch of public business; and that a committee of the states shall be appointed to sit in the recess of Congress.

A motion was made by Mr. M'Henry, seconded by Mr. Spaight, to postpone the consideration of the foregoing motion, in order to take into consideration the report of a committee consisting of Mr. Jefferson, Mr. Osgood and Mr. Sherman, to whom was referred a report on the powers with which a committee of the states should be vested during the recess of Congress, and a motion on the same subject, which report is as follows.

"That the committee of the states which shall be appointed pursuant to the 9th article of confederation and perpetual union to sit in the recess of Congress, for transacting the business of the United States, shall possess all the powers which may be exercised by seven states in Congress assembled; except those of sending ambassadors, ministers, envoys, residents or consuls—Establishing rules for deciding what captures by land or water shall be legal, and in what manner prizes taken by land or naval forces  
in

in the service of the United States, shall be divided or appropriated—Establishing courts for the receiving and determining finally appeals in cases of capture—constituting courts for deciding disputes and differences arising between two or more states—Fixing the standard of weights and measures for the United States—changing the rate of postage on the papers passing through the post-office established by Congress, and of repealing or contravening any ordinance passed by Congress.

That nine members shall be requisite to proceed to business.

That no question, except for adjourning from day to day, shall be determined without the concurrence of seven votes.

That the president of Congress, if a member of the said committee, and if not a member, or if absent at any time, then a chairman to be chosen by themselves shall preside; the president or chairman retaining a right to vote.

That the secretary and other officers of Congress shall attend on the said committee.

That they shall keep an accurate journal of their proceedings, to be laid before Congress; and that in these journals shall be entered the yeas and nays of the members when any one of them shall have desired it before the question be put.

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. M'Henry.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} na
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
		Pennsylvania	



Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no		
Maryland,	Mr. M'Henry	ay	}	ay
	Mr. Stone	ay		
	Mr. Chase	ay		
Virginia,	Mr. Jefferson	ay	}	ay
	Mr. Hardy	ay		
	Mr. Mercer	ay		
	Mr. Monroe	ay		
North-Carolina,	Mr. Williamson,	ay	}	ay
	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay	}	ay
	Mr. Beresford	ay		

So it passed in the negative.

A motion was then made by Mr. Williamson, seconded by Mr. M'Henry, to amend the motion of Mr. Howell, by adding thereto, "provided a committee of the states shall first have been appointed to sit in the recess of Congress, and the powers defined with which the said committee shall be vested, according to the tenth of the articles of confederation."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no	}	ay
Maryland,	Mr. M'Henry	ay		
	Mr. Stone	ay		
	Mr. Chase	ay		
Virginia,				

Virginia,	Mr. Jefferson	ay	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it passed in the negative.

A motion was then made by Mr. M<sup>c</sup>Henry, seconded by Mr. Mercer, to postpone the further consideration of the motion under debate, in order to take up the following.

That as soon as a proper place shall be reported by the committee appointed to view and report a proper place for a federal town at or near Georgetown, on the Potomack, and the soil and jurisdiction obtained as well for the town on Potomack as that on Delaware, Congress will forthwith proceed to erect such public buildings as may be necessary for their sessions, at the expence of the United States, out of the common treasury thereof—that the foundations of the said buildings shall be laid at the same time, and no sum of money appropriated for the one, unless an equal sum be appropriated for the other.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. M<sup>c</sup>Henry.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand-	no		
				Maryl

Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	no	} divided
	Mr. Hardy	ay	
	Mr. Mercer	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson,	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So it passed in the negative.

A motion was then made by Mr. Hardy, seconded by Mr. Read, to postpone the consideration of the motion under debate, in order to take up the following.

Whereas the resolution of the 20th of October last, provides that Congress shall reside at Trenton and Annapolis alternately, at equal periods of not less than six months or more than twelve, until the buildings on the banks of Potomack and Delaware, be ready for their reception. And whereas the delegates from Rhode-Island, pursuant to instructions from that state, have moved a resolution that Congress adjourn to Newport, in the state of Rhode-Island, from which it is evidently the sense of that state, that the resolution for two federal towns should not be carried into effect. And whereas it appears to be the sense of a majority of the states in Congress assembled, by a motion from the state of Connecticut, forbidding the committee appointed to view the ground at or near Georgetown, to proceed in that business until the further order of Congress, and by a motion for allowing the states of Maryland and Virginia, to advance pounds for the purpose of erecting public buildings, at or near Georgetown, and for giving them credit for the same in the requisition for year, which last being negatived, amounts to a virtual repeal of the aforesaid act, and as it will be expedient to fix on a situation the most central to all parts of the union, for holding the sessions of Congress, *Resolved*, That Congress hold their sessions in Annapolis in the state of Maryland, until they decide on some place for their permanent residence, and



the necessary public buildings be erected for their accommodation.

On this motion, the previous question was moved by the state of Connecticut, seconded by the state of Rhode-Island—And on the question to agree to the previous question, the yeas and nays being required by Mr. Hardy.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	} no
Maryland,	Mr. M'Henry	no	
	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Jefferson	ay	} divided
	Mr. Hardy	no	
	Mr. Mercer	no	} divided
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} divided
	Mr. Beresford	ay	

So it was resolved in the affirmative, and the motion was set aside.

On the question to agree to the original motion, the yeas and nays being required by Mr. Stone.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	

Rhode-

Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay.
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
Maryland,	Mr. Hand	ay	} no
	Mr. M'Henry	no	
	Mr. Stone	no	
	Mr. Chase	no	
Virginia,	Mr. Jefferson	ay	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it was

*Resolved*, That the president be, and he hereby is authorised and directed to adjourn Congress on the third day of June next, to meet on the thirtieth day of October next at Trenton, for the dispatch of public business, and that a committee of the states shall be appointed to sit in the recess of Congress.

Congress resumed the consideration of the report of the grand committee appointed to report to Congress the arrears of interest, &c. and the following clause being under debate, " they wish earnestly and warmly to encourage the abler states to go as far beyond this proportion as their happier situation will admit, under an assurance that their further contributions will be applied to the discharge of the public debt, giving preference according to the preceding statement, and will be placed to their credit in the next requisitions with interest thereon from the time of payment." A motion was made by Mr. Stone, seconded by Mr. M'Henry, to strike out the word " thereon,"

on," and in lieu thereof to insert "on the specie payments"—And on the question to agree to this, the yeas and nays being required by Mr. M'Henry.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
Maryland,	Mr. Hand	no	} ay
	Mr. M'Henry	ay	
	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	no	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So it passed in the negative.

T U E S D A Y, APRIL 27, 1784.

Congress assembled—Present eleven states as before.

Congress resumed the consideration of the report of the grand committee, appointed to report to Congress the arrears of interest, &c.

A motion was made by Mr. Mercer, seconded by Mr. Spaight, to postpone the consideration of the report, in order to take up the following—

*Resolved, That there will be wanting for the services*  
of



of the year 1784, from the first to the last day thereof inclusive, the following sums expressed in dollars.

The civil department,	—	107,525. 33
Military department,	—	200,000
Marine department,	—	30,000
Purchases of Indian rights of soil, and incidental expences,		60,000
Contingencies,	—	60,000
		<hr/> 457,525 33

Debts contracted and still un-  
paid for 1782 and 1783, — 1,000,000

Interest on the national debt as follows.

On Spanish loan,	—	9,000
Farmers general of France,	—	8,467
French loan,	—	296,074
Dutch loan,	—	35,000
		<hr/> 348,541

#### DOMESTIC DEBT.

Loan-office debt,	—	787,851
Liquidated debt,	—	34,609
Army debt,	—	358,424
		<hr/> 1,180,884

Total, — 2,986,952. 33

It must be here observed, that Congress by their resolutions of the 18th of April 1783, had recommended to the several states the raising an annual revenue for the purpose of discharging the principal and interest of the national debt, by the establishment of certain imposts, and providing such supplementary funds for a given term of years as they may judge convenient; but as those recommendations are still under suspense with several of the legislatures, some of them having as yet only acceded to the impost, and others decided neither on the impost nor supplementary funds, however desirable a full compliance therewith is for the preservation of our faith and establishment of a national credit, yet as time has already elapsed, and more must elapse, before their final confirmation can be hoped; as after it shall be attained, time will also be requisite to advance the plan to the term of actual collection,

good

good faith requires that in the mean time other measures should be resorted to, for the purpose of discharging the growing interest. It is considered by Congress, that a demand upon the states for the whole arrearages of interest due on the foreign and domestic debt at the critical moment when they are just emerging from the complicated distresses of a ruinous internal war, would only be attended with a failure of compliance on the part of the states—a consequence that could not but be destructive of public credit. During the continuance of the war, a non compliance with the requisitions of Congress was attributed to the ravages of the enemy, the loss of commerce, and the employment of our citizens in defending instead of cultivating the soil, but if on the conclusion of peace, the same remissness on the part of the states be continued, no other cause can be assigned but a defect in the powers of government, or an inability or disinclination in the citizens of America, to do justice to their public creditors—conclusions equally ruinous and dishonorable. To avoid which it is indispensably necessary that Congress conform thir requisitions to the abilities of their constituents to pay. If this can be accomplished by calling for the interest for one year on the principal and interest heretofore due, and the requisition is punctually complied with, complete justice will then be rendered to public creditors, as it is a well known fact, that whenever the payment of interest on a principal sum can be well secured, such is the nature of monied operations, that the proprietors of the evidences of such a principal sum can always transfer them for their full value. The requisitions of October 30th, 1781, for eight millions of dollars, and of October 16th, 1782, for two millions of dollars, have been so partially complied with, and in such unequal proportions, that Congress can retain no hopes of their full execution, and it only remains for them now to adjust the proportions paid by the several states, and where any state has exceeded her equal proportion, to give such state credit in the ensuing requisitions, and charge the deficiency that will then arise on those states, who have failed in paying in an equal ratio.

Individual states, &c. (here take in the paragraph in the report beginning with those words.) But

But it will be necessary also to remind the States, &c. (here also take in the paragraph in the report beginning with those words.)

*Resolved*, That the above sum of 2,986,952. 33 dollars, be furnished by the respective States in the following proportions, viz,

New-Hampshire }  
 Massachusetts }  
 Rhode-Island }  
 Connecticut }  
 New-York }  
 New Jersey }  
 Pennsylvania }  
 Delaware }  
 Maryland }  
 Virginia }  
 North-Carolina }  
 South Carolina }  
 Georgia }

According to the apportionment  
 made in April 1783.

And in order to ascertain the precise sum due to the domestic creditors, the superintendant of finance is hereby directed to cause all the loan office certificates and other public securities to be revised and liquidated anew, and the interest due thereon, to the last day of the year 1783, to be added to the principal sums and securities issued agreeable thereto.

On the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Mercer.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		

Pennsylvania,



Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	ay	
	Mr. Hand	no	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chafe	no	
Virginia,	Mr. Jefferson	no	} divided
	Mr. Hardy	ay	
	Mr. Mercer	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So it passed in the negative.

The report of the grand committee appointed to prepare and report to Congress, the arrears of interest on the national debt, together with the expences for the year 1784, and a requisition of money on the States for discharging the same, being amended to read as follows.

*Resolved*, That there will be wanting for arrears of interest on the national debt to the end of the year 1783, and for the interest of the foreign debt and services of the present year 1784, from the first to the last day thereof inclusive, the following sums expressed in dollars, tenths and hundredths of dollars.

The civil department,	—	107,525. 33
The military department,	—	200,000
The marine department,	—	30,000
Purchases of Indian rights of soil,		
and the incidental expences,	—	60,000
Contingencies,	—	60,000
		<hr/> 457,525. 33

Debts contracted and still unpaid  
for services of 1782 and 1783. — 1,000,000  
Interest on the national debt  
as follows—

1782.	FOREIGN DEBT.
Dec. 31.	Three years interest on the Spanish loan of 150,000 dollars, at five per cent. 22,500
1783.	

Carried forward, 22,500 1,457,525.33

1783.	Brought forward,	22,500	1,457,525.33
Dec. 31.	Spanish loan, one year, -	7,500	
	To the farmers general of		
1784.	France, livres 846,710-5,	7,840	
June 1.	Dutch loan of 1,800,000 flo-		
	rins, at 5 per cent. -	35,000	
Sept. 3.	French loan of 24 million		
	livres at ditto, -	222,000	
Nov. 5.	Dutch loan of 10 million		
	livres, guaranteed by		
	France, -	74,074	
Dec. 31.	Spanish loan, -	7,500	
	Farmers general of France, 7,840		
			<u>384,254</u>

DOMESTIC DEBT.

1782.			
Dec. 31.	L. office debt, 11,473,802. 26		
	at 6 per cent. -	1,184,176	
	Liquidated debt, 701,404		
	at ditto, -	21,042	
	Army debt, 5,635,618		
	at ditto, -	676,272	
		<u>1,881,490</u>	
	Deduct the requisition of		
	Sept. 4, 1782, -	1,200,000	
			<u>681,490</u>
1783.			
Dec. 31.	Loan office debt, -	749,050	
	Liquidated debt, -	42,084	
	Unliquidated debt, estimated		
	at 8 million dollars, suppose		
	one third now liquidated, 160,000		
	Army debt, -	338,136	
		<u>1,289,270</u>	
	Total, -		<u>3,812,539. 33</u>

The committee were apprised that the resolutions of Congress of April the 18th, 1783, had recommended to the several states the raising an annual revenue, for the purpose of discharging the principal and interest of the

national debt, by the establishment of certain imposts, and providing supplementary funds for a given term of years, to be raised in such a way as they might judge most convenient: but it occurred to them, that those recommendations were still under suspense with several of the legislatures, some of them having as yet acceded to the impost only, and others decided neither on the impost nor supplementary funds: that however desirable a compliance therewith is, for the preservation of our faith, and establishment of a national credit, yet as time has already elapsed, and more must elapse before their final confirmation can be hoped, as, after it shall be obtained, time will also be requisite to advance the plan to the term of actual collection, good faith requires that in the mean while other measures should be resorted to for the purpose of discharging the growing interest.

In the statement of the interest due at the close of the year 1782, the committee have supposed its amount lessened by 1,200,000 dollars, required and apportioned by the resolutions of Congress of September the 4th and 10th, 1782, and appropriated to the sole purpose of paying the interest of the public debt. This requisition gave licence to the states to apply so much as should be necessary of their respective quotas of it, to the payment of interest due on certificates issued from the loan office of their own states, and other liquidated debts of the United States contracted therein. Hence they suppose it has happened, that the actual payments of these quotas have been uncommunicated to the office of finance for the United States. The committee are of opinion that the states should be desired to communicate to the superintendant of finance, the payments they have made under this requisition, and where they have been incomplete, to hasten their completion, as the means still relied on by Congress for the discharge of that part of the interest of the public debt—And while on this subject, they beg leave to add, that from the representation to Congress by the minister of France, referred to this committee, they learn that in some of the states a discrimination has taken place between the citizens of their own and subjects or citizens of other countries, which was not authorized by the said resolution



**Resolution :** They are of opinion, that such states should be required to revise and reform their proceedings herein, and to extend the benefits both past and future of this provision equally and impartially to all persons within its description.

Your committee then came to consider in what way it would be best to call for the sums requisite for the services before stated : and they thought it their duty in the first place to enquire, whether no surpluses might remain on former requisitions of Congress, after the purposes were effected to which they were originally appropriated ; under an assurance that it would be both the duty and sense of Congress to apply such surpluses, in every instance, towards lessening the next requisitions on the states. They found in fact that such a surplus would remain on the requisition of October 30, 1781, for eight millions of dollars for the services of the ensuing year and that this surplus would be great from the following circumstances :— That requisition was estimated on supposition, that the continental army would be completed by the states, to its full establishment ; and that cloathing subsistence and other necessaries for such an army, must of course be provided. The states were far short of producing such an army. Hence the calls for money were proportionally abridged. It was estimated too on the further supposition that we might be disappointed in the endeavours we were then exerting to borrow money both at home and abroad, and of course that the whole must be supplied by taxes. Loans however were obtained, and the surplus increased by this second cause. A third circumstance has further enlarged it. The payments on this requisition have been small and slow. Hence, instead of money, those who served and supplied the United States have received certificates only, that money is due to them, and these debts have been transferred to the fund proposed to be raised by way of impost : so that tho' the debts exist, they are removed from this to another fund. To know then the amount of this surplus, the committee extended their enquiries to the sums actually received under this requisition, the purposes to which they have been applied, and the anticipations thereof still unsatisfied. They found that 1,486,511.71,

only of the eight millions of dollars had been received at the treasury at the close of the year 1783; that these had been applied to the services of the years 1782 and 1783, and that for other services of the same years, debts were contracted to the amount of about one million of dollars more, which depend for their discharge on further receipts under this requisition; a statement of the expenditures of which sums should be made out and forwarded to the legislatures of the several states. Your committee then are of opinion that a surplus of 5,513,488.28 dollars will remain of this requisition, after answering all the demands which actually arose against it, which were not answered by other means, nor transferred to other funds; and that this surplus ought to be applied so far as it will go, to the common purposes of the United States, so as to prevent new requisitions on them till the old shall have been exhausted, and to shew to those who may have paid their whole quota of any requisition, that they will not be called on anew till all the other states shall in like manner have paid up their quotas.

Your committee found also that there was a requisition of Congress of October 16, 1782, for two millions of dollars for the services of the year 1783, on which some small payments had been tendered, but that the superintendant of finance had found it better to receive and credit them as part of the eight millions. They are accordingly comprehended in the sum before stated to have been paid in under that head.

Having thus stated the demands existing against the states, the committee would have performed but half their duty, had they passed over unnoticed their condition to pay them. Their abilities must be measured in weighing their burthens. Their creditors themselves will view them just relieved from the ravages of predatory armies—returning from an attendance on camps, to the culture of their fields—beginning to sow, but not yet having reaped—exhausted of necessities and habitual comforts, and therefore needing new supplies out of the first proceeds of their labour: forbearance then, to a certain degree, will suggest itself to them. Congress entrusted with the dispensation of justice between the public and its creditors, will suppose both parties desirous that their mutual situa-  
tions



tions should be considered and accommodated. Your committee are of opinion that if the whole balances of the two requisitions of eight and of two millions, should be rigorously called into payment within the course of the present year, a compliance with such call would produce much distress; and that a proportion short of this should be fixed on, within the reach of the least as well as of the most able states. They propose therefore that the states be required to furnish within the course of the present year, such part of their deficiencies under the requisition of eight millions, as, with their payments to the close of the last year will make up one half of their original quota thereof. And that these payments be appropriated in conformity with the statement in the first part of this report, giving generally, where accommodation cannot be effected among the several objects, a preference according to the order in which they are arranged in the said statement.

But while this proportion of former deficiencies is of necessity called for, under the pressure of demands which will admit neither denial nor delay, and the punctual compliance of every state is expected, to enable the federal administration with certainty to satisfy these demands, it is earnestly and warmly recommended to the ablest states to go as far beyond this proportion in specie, as their happier situation will admit, under an assurance, that such further contributions will be applied towards discharging the public debt agreeable to the preceding statement, and will be placed to their credit in the next requisitions, with interest thereon from the time of payment: and also that before any further demand is made upon the states, under the requisition for two millions of dollars, or the requisition for eight millions of dollars, Congress will revise the quotas of the several states mentioned in the said requisitions respectively, and will make them agreeable to justice, upon the best information Congress may have when such demand is made. But as all our exertions will probably fall short of their full object, in that case it is believed that the public creditors seeing the load of interest accumulated during the war, greater than can be discharged in the first year of peace, will be contented for the present, to receive



ceive the earlier part of these arrears, and to rely for the residue on the efforts of the ensuing year.

Individual states have at times thought it hard that while, in their own opinion, they were in advance for the United States on accounts existing and unsettled between them they should yet be called on to furnish actual contributions of money. The committee observe in answer to this, first, that almost every state thinks itself in advance: and secondly, that it has been the constant wish of Congress that these accounts should be settled, and the contributions of each be known and credited. They have accordingly taken measures, and will continue their endeavours to effect these settlements: And as a further encouragement to hasten this desirable work, the committee are of opinion Congress should declare, that so soon as these accounts shall be settled, and it shall appear in favour of what states balances arise, such states shall have credit for the same in the requisitions next ensuing.

But it will be necessary to remind the states that no materials have yet been furnished to enable Congress to adjust the ultimate ratio in which the expenditures of the late war shall be apportioned on the states. The confederation directs that this shall be regulated by the value of the lands in the several states with the buildings and improvements thereon. Experiments made however since the date of that instrument, for the purposes of ordinary taxation, had induced doubts as to the practicability of this rule of apportionment; yet Congress thought it their duty to give it fair trial, and recommended to the several states on the 17th February, 1783, to furnish an account of their lands, buildings and number of inhabitants, whereon they might proceed to estimate their respective quotas: but apprehending that the incompetence of the rule would immediately shew itself, and desirous that no time should be unnecessarily lost, they followed it with another recommendation of the 18th of April, 1783, to substitute in lieu of that article in the confederation another, which should make the number of inhabitants, under certain modifications, the measure of contribution for each state: Both these propositions are still under reference.

reference to the several legislatures; the latter accompanied by the earnest wishes, and preference of Congress, under full conviction that it will be found in event as equal, more satisfactory, and more easy of execution: the former only pressed if the other should be rejected. The committee are informed that the states of Connecticut, New-Jersey, Pennsylvania and South-Carolina, have acceded to the alteration proposed; but have no evidence that the other states have as yet decided thereon. As it is necessary that the one or the other measure should be immediately resorted to, they are of opinion it should be recommended to the legislatures which have not yet decided between them, to come to decision at their next meeting.

In order to present to the eye a general view of the several existing requisitions, and of the payments made under them, the committee has subjoined them in the form of a table, wherein the 1st column enumerates the states; the 2d the apportionment of the 1,200,000 dollars; the 3d that of the 8 millions; the 4th that of the 2 millions; the 5th the sums paid by the several states in part of their respective quotas to the last day of the year 1783; and the 6th the sums now required to make up one half of their respective quotas of the 8 millions, expressed in dollars, cents and hundredths of dollars.

## A TABLE

A TABLE of the several EXISTING REQUISITIONS and of the PAYMENTS made under them.

	Apportionment of the 1,200,000 dol.		Apportionment of the 8 mil.		Paid of the 8 m. be. fore Dec. 31, 1783.		Sums now required to make $\frac{1}{2}$ of the 8 m.	
	48,000	373,598	30,000	3,000	183,799			
New-Hampshire	192,000	1,307,596	320,000	247,676. 66	406,121. 34			
Massachusetts	28,800	216,684	48,000	67,847. 95	40,491. 05			
Rhode-Island	133,200	747,196	222,000	131,577. 83	242,020. 17			
Connecticut	54,000	373,598	90,000	39,064. 1	147,734. 9			
New-York	66,000	485,679	110,000	102,004. 95	140,834. 55			
New-Jersey	180,000	1,120,794	300,000	346,632. 98	213,764. 02			
Pennsylvania	16,800	112,085	28,000	" "	56,042. 5			
Delaware	132,000	933,996	220,000	89,302. 11	377,695. 89			
Maryland	174,000	1,307,594	290,000	115,103. 53	538,693. 47			
Virginia	88,800	622,677	148,000	" "	311,338. 5			
North-Carolina	72,000	373,598	120,000	344,301. 57	" "			
South-Carolina	14,400	24,905	24,000	" "	12,452. 5			
Georgia								
	1,200,000	8,000,000	2,000,000	1,486,511. 71	2,679,987. 89			

Resolved, That Congress agree to the said report.



On the report of a committee consisting of Mr. Jefferson, Mr. Sherman and Mr. Gerry.

*Resolved*, That the superintendant of finance be, and he hereby is directed to take order for the payment of three hundred and thirty three dollars and one third of a dollar, to the guardian of Hugh Mercer, son of the late general Mercer, for one year's education and board.

W E D N E S D A Y, APRIL 23, 1784.

Congress assembled—Present eleven states as yesterday.

The committee consisting of Mr. Read, Mr. Montgomery and Mr. Stone, to whom it was referred to take order upon the report of a committee of the 23d day April instant, on the motion of Mr. Read, of the 16th day of March last;

Report, that in virtue of the said order of the United States in Congress assembled, your committee took measures and have caused Henry Carbery, late a captain in the Pennsylvania line of continental troops, in the said report mentioned, to be arrested and brought before the honorable Robert Goldsborough, one of the judges of the general court of the state of Maryland, for examination, and to be proceeded against, according to law and justice. Your committee have caused to be laid before the said judge all such proofs and evidences of the nature and circumstances of the crime charged against the said Henry Carbery, as were on the files or in the possession of Congress. And your committee informed the said judge, that it was the sense of the United States in Congress assembled, that the said Henry Carbery, who is a fugitive from justice, ought to be tried according to the laws of Pennsylvania, in which state the offence charged against him was committed, and to the laws of which state he is amenable. Your committee recommend that the executive of the state of Maryland, be requested to take proper measures for the delivery of the body of the said Henry Carbery, to the executive of the state of Pennsylvania, or their order, that he may be dealt with according to law.

*Resolved*, That Congress agree to the said report.

Congress resumed the consideration of the report of the grand committee appointed to report the arrearages of interest, &c. and the paragraph respecting facilities as entered on the journal of the 5th of April, being amended as to the proportions therein expressed, so as to correspond with the report agreed to and passed yesterday.

A motion was made by Mr. Read, seconded by Mr. Stone, to refer the said paragraph as amended, to the superintendant of finance to report—And on the question to agree to this, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
Maryland,	Mr. Hand	no	}	ay
	Mr. M'Henry	ay		
Virginia,	Mr. Stone	ay	}	no
	Mr. Jefferson	no		
North-Carolina,	Mr. Hardy	ay	}	no
	Mr. Monroe	no		
South-Carolina,	Mr. Spaight	ay	}	*
	Mr. Read	ay		
	Mr. Beresford	ay	}	ay

So it passed in the negative.

The paragraph being further amended to read as follows—

It remained lastly to consider, whether no facilities might be given to the payment of these sums by the several states. The committee observed that of the purposes for which money is wanting, about three-fourths

can.

can be answered by nothing but money itself; but that the other fourth, consisting of interest on our domestic debt, may be effected by procuring a discount of the demand in the hands of the holders; an operation which will be shorter, and less impoverishing to the state. And however, in times of greater plenty, the accuracy of fiscal administration might require all transactions to be in actual money, at the treasury itself; yet till our constituents shall have had some respite from their late difficulties, it behoves us to prefer their easement. The committee are therefore of opinion that the several legislatures may be admitted so to model the collection of the sums now called for, that the three-fourths of any sum being paid in actual money, the other fourth may be discharged by procuring discounts of interest with our domestic creditors; always taking care that the collection of money shall proceed at least in threefold proportion with the operations of discount. And to ascertain the evidences of discount which shall be receivable in lieu of money, the holders of loan office certificates shall be at liberty to carry them to the office from which they issued; and the holders of certificates of other liquidated debts of the United States, to carry the same to the loan office of that state wherein the debt was contracted, and to have the interest due thereon settled and certified to the last day of the year 1782: for which interest the loan officer shall give a certificate in such form, and under such cautions and instructions, as the superintendant of finance shall transmit to him; which certificates of interest being parted with by the holder of the principal, shall be deemed evidence that he has received satisfaction for the same, and therefore shall be receivable from the bearer, within the same state; and from the state when obtained from the bearer, in lieu of money in the proportion before stated; which payment in certificates by the state into the public treasury, in the proportion that each state avails itself of the facilities, shall be considered as a discharge of so much of the interest due upon the domestic debt, so that the three-fourths or greater proportion, if any state should not avail itself of the facilities in the degree hereby admitted, paid in money at the same time



time shall be applied, according to the above statement, giving preference to the discharge of the expences of internal government, and the interest due upon the foreign debt. And where loan office certificates, issued after the first day of March 1778, shall be presented to the loan officer they shall be reduced to their specie value, according to the resolutions of Congress of June 28, 1780, that specie value expressed on some part of the certificate, and the interest thereon settled and certified as in other cases.

*Resolved*, That Congress agree to the same.

The yeas and nays on the question having being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	} ay
Maryland,	Mr. M'Henry	ay	
	Mr. Stone	ay	} ay
Virginia,	Mr. Jefferson	ay	
	Mr. Hardy	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Spaight	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	

So it was resolved in the affirmative.

On motion of Mr. Hand, seconded by Mr. M'Henry,

Whereas by the ordinance for regulating the post-office of the United States of America, passed the 18th day of October 1782, it is ordained, That letters, pack-

ets and dispatches to and from the commander in chief of the armies of these United States, on public service, shall pass and be carried free of postage : And whereas there is reason to apprehend that the numerous letters and packers addressed to the late commander in chief of the armies of these United States, in consequence of his late command, and on matters foreign to his private concerns, will subject him to an expence in postage which it would be improper and unreasonable he should bear.

*Resolved*, That all letters and packets to and from the late commander in chief of the armies of the United States, shall pass and be carried free of postage until the further orders of Congress : And that the postmaster general be, and he is hereby directed to refund to the said late commander in chief, all the monies paid by him for the postage of letters or packets since the time of his resignation.

THURSDAY, APRIL 29, 1784.

Congress assembled—Present eleven states as before.

Congress took into consideration the report of a grand committee, to whom was referred the report of a committee on the subject of western territory, and the following paragraph being under debate :

“ Congress by their resolution of September 6th, 1780, having thought it advisable to press upon the states having claims to the western territory.”

A motion was made by Mr. Spaight, seconded by Mr. Beresford, to strike out the words “ claims to the”—And on the question, Shall those words stand ? the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		

New.

New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	} ay
Maryland,	Mr. M'Henry	ay	
	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Jefferson	ay	} no
	Mr. Hardy	no	
	Mr. Monroe	no	} no
North-Carolina,	Mr. Williamson	no	
	Mr. Spaight	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	} no

So it was resolved in the affirmative!

The report being amended was agreed to as follows—

Congress by their resolution of September 6, 1780, having thought it adviseable to press upon the states having claims to the western country, a liberal surrender of a portion of their territorial claims; by that of the 10th of October, in the same year, having fixed conditions to which the union should be bound on receiving such cessions: and having again proposed the same subject to those states, in their address of April 18<sup>th</sup>, 1783, wherein, stating the national debt, and expressing their reliance for its discharge, on the prospect of vacant territory, in aid of other resources, they, for that purpose, as well as to obviate disagreeable controversies and confusions, included in the same recommendations, a renewal of those of September 6th, and of October the 10th, 1780; which several recommendations have not yet been fully complied with:

*Resolved*, That the same subject be again presented to the attention of the said states; that they be urged to consider that the war being now brought to a happy termination by the personal services of our soldiers, the supplies of property by our citizens, and loans of money from them as well as from foreigners; these several creditors have a right to expect that funds shall be provided on which they may rely for indemnification; that Con-

gress



gress still consider vacant territory as an important resource : and that therefore the said states be earnestly pressed, by immediate and liberal cessions, to forward these necessary ends, and so promote the harmony of the union.

F R I D A Y APRIL 30, 1784.

Congress assembled—Present eleven states as before.

Congress took into consideration the report of a committee consisting of Mr. Gerry. Mr. Read, Mr. Williamson, Mr. Chase and Mr. Jefferson, to whom were referred sundry letters and papers relative to commercial matters, and the following paragraph being under debate :

That it be recommended to the legislatures of the several states to vest the United States in Congress assembled, for the term of fifteen years, with a power to prohibit any goods, wares or merchandise from being imported into any of the states, except in vessels belonging to and navigated by citizens of the United States, or the subjects of foreign powers with whom the United States may have treaties of commerce.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to postpone the consideration thereof, in order to take up the following :

That it be recommended to the legislatures of the several states, to restrain by imposts or prohibitions, any goods, wares or merchandise from being imported into them respectively, except in vessels belonging to and navigated by citizens of the United States, or the subjects of foreign powers with whom the United States may have treaties of commerce, or the subjects of such foreign powers as may admit of a reciprocity in their trade with the citizens of these states.—That it be recommended to the legislatures of the several states, to prohibit the subjects of any foreign state, kingdom or empire, from importing into them respectively, any goods, wares or merchandise, unless such as are the produce or manufacture of that state, kingdom or empire whose subjects they are.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Ellery,

New-

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Mercer	no	} no
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	] *

So it passed in the negative.

The report being amended was agreed to as follows:

The trust reposed in Congress, renders it their duty to be attentive to the conduct of foreign nations, and to prevent or restrain as far may be, all such proceedings as might prove injurious to the United States. The situation of commerce at this time claims the attention of the several states, and few objects of greater importance can present themselves to their notice. The fortune of every citizen is interested in the success thereof; for it is the constant source of wealth and incentive to industry; and the value of our produce and our land must ever rise or fall in proportion to the prosperous or adverse state of trade.

Already has Great-Britain adopted regulations destructive of our commerce with her West-India Islands. There was reason to expect that measures so unequal and so little calculated to promote mercantile intercourse, would not be persevered in by an enlightened nation. But these measures

measures are growing into system. It would be the duty of Congress, as it is their wish, to meet the attempts of Great-Britain with similar restrictions on her commerce; but their powers on this head are not explicit, and the propositions made by the legislatures of the several states, render it necessary to take the general sense of the union on this subject.

Unless the United States in Congress assembled shall be vested with powers competent to the protection of commerce, they can never command reciprocal advantages in trade; and without these, our foreign commerce must decline and eventually be annihilated. Hence it is necessary that the states should be explicit, and fix on some effectual mode by which foreign commerce not founded on principles of equality may be restrained.

That the United States may be enabled to secure such terms they have,

*Resolved*, That it be, and it hereby is recommended to the legislatures of the several states to vest the United States in Congress assembled, for the term of fifteen years, with power to prohibit any goods, wares or merchandize from being imported into or exported from any of the states, in vessels belonging to or navigated by the subjects of any power with whom these states shall not have formed treaties of commerce.

*Resolved*, That it be, and it hereby is recommended to the legislatures of the several states to vest the United States in Congress assembled, for the term of fifteen years, with the power of prohibiting the subjects of any foreign state, kingdom or empire, unless authorised by treaty, from importing into the United States any goods, wares or merchandize, which are not the produce or manufacture of the dominions of the sovereign whose subjects they are.

Provided That to all acts of the United States in Congress assembled, in pursuance of the above powers, the assent of nine states shall be necessary.

MONDAY, MAY 3, 1784.

Congress assembled—Present New-Hampshire, Mass.  
VOL X. A a sachusetts,



Massachusetts, Rhode-Island Connecticut, New-York, Pennsylvania, Maryland Virginia, North-Carolina and South-Carolina; and from the state of New-Jersey Mr. Dick.

On motion of Mr. Jefferson, seconded by Mr. Spaight,

*Ordered*, That all letters from the ministers of these United States in Europe, be considered at all times as under an injunction of secrecy, except as to such parts of them as Congress shall by special permission allow to be published or communicated.

On motion of the delegates of the state of South Carolina, in pursuance of instructions from their state,

*Resolved*. That the minister of the United States at the court of Madrid be, and he is hereby instructed to use his best endeavours by a proper application in behalf of the state of South-Carolina, to his catholic majesty, to obtain an adequate compensation to that state, for the service performed by the South-Carolina frigate, in co-operating with the Spanish general and forces, in the expedition against and reduction of Providence and the Bahama Islands, in the year one thousand seven hundred and eighty two; and that the said minister be further directed, to place such money as he shall obtain from the king of Spain, in proper hands subject to the draft of the governor and commander in chief of the said state, for the use thereof, and to give to his said excellency the earliest intelligence of the success of his application.

On the report of a committee consisting of Mr. Gerry, Mr. Jefferson and Mr. Williamson, to whom was referred a letter of 16th April last, from the superintendant of finance, enclosing a letter of 26th December, and one of the 10th of January from the marquis de la Fayette, with sundry papers enclosed,

*Resolved*, That a letter be written by the president to the marquis de la Fayette, expressing the high sense which Congress entertain of his important services, relative to the commerce of France and these United States, and particularly to free ports—that there is every reason to expect mutual and permanent advantages from these liberal measures adopted by his most Christian Majesty, and that an extension thereof to his West-India colonies, will

will in the opinion of Congress, encrease those advantages and produce the most salutary effect.

*Resolved*, That a copy of a letter of the 29th of June last, from the Count de Vergennes, and one of the 9th of January last, from monsieur de Calonne, to the marquis de la Fayette, respecting free ports in France, be entered on the journal, and when published, transmitted to the supreme executives of the several states.

The letters being translated are as follows.

SIR,

*Versailles, 29th June, 1783.*

I HAVE received the letter which you did me the honor to write on the 17th of this month. You desire to know what is meant by *free port*.

By this term, sir, we mean a place to which all merchandizes as well foreign as domestic may be imported, and from which they may be freely exported. You will judge, sir, by this definition that all the merchandizes of the north without exception, may be imported into L'Orient, and exported from it by the Americans. In a word L'Orient will be reputed foreign with regard to France as far as respects commerce. The prohibitions and duties upon foreign merchandizes will take effect only in case any person desires to introduce into the interior parts of the realm, the merchandizes subjected to the one or the other.

I have the honor &c,

DE VERGENNES.

Mons. the marquis de la FAYETTE.

SIR,

*Versailles, 9th January, 1784.*

I HAVE communicated to the king the observations contained in the memoir which you transmitted to me relative to the commerce of America, and those which you made at our last conference.

I am authorised to announce to you that it is the intention of his majesty to grant to the United States, the ports of L'Orient and Bayonne as free ports, and besides these that of Dunkirk and that of Martéilles; the first of which enjoys absolute freedom, and the other is restrained  
in

in the exercise of that freedom only with regard to tobacco, which is there subjected to a duty. The Americans may from this moment send their vessels to those four ports, where they will not meet with any kind of difficulty. You may, if necessary, explain what is meant by *free ports*, agreeably to the signification thereof given by monsieur de Vergennes, in his letter of the 29th of June last. The Americans will find, above all, at Dunkirk, all the facilities they can desire for the sale of their leaf tobacco, their rice, their timber and other merchandize, as well as for the purchase of what they want, such as linens, woolens, brandy, &c. It is proposed to establish stores and magazines there, which shall be well supplied on terms very advantageous for their commerce. I have given orders to the farmers general to treat in preference and at a reasonable price for the purchase of the tobaccos of North-America, and moreover the United States, will be as much favoured in France in matters of commerce as any other nation. The complaints which they may make to you, or which Mr. Franklin, and the other American ministers, which I would be very glad to see, may transmit to me on their behalf, shall be examined with great attention, and government will not suffer them to experience any kind of vexation. Every possible precaution will also be taken to prevent the sending out bad merchandize, which if it has hitherto taken place, can only be attributed to the avarice of some merchants of the lowest order. I am going immediately to examine what relates to the customs and duties which hurt commerce. This is an important subject and requires great attention. In fine, sir, you may rely, that I shall be always disposed, as well as monsieur the marshal de Castries, and monsieur the count de Vergennes, to receive and listen with attention to the demands and further representations which you shall think proper to make in favour of the commerce of America.

I have the honor to be, &c.

DE CALONNE.

P. S. The ports of Bayonne and L'Orient will be made similar to that of Dunkirk with regard to entire freedom.

Mess. the marquis de la FAYETTE.

On



On the report of a committee consisting of Mr. Hand, Mr. Howell and Mr. De Witt, to whom was referred a memorial of the reverend Mr. Israel Evans.

*Resolved*, That it be, and it hereby is recommended to the legislature of the state of New-Hampshire, to make good to the reverend Mr. Israel Evans, late chaplain to the brigade composed of the troops of that state, the depreciation of his pay up to the first day of August 1780, in the same manner they have made good the depreciation of pay to the officers and soldiers of their line.

On the report of the same committee, to whom was referred a memorial of Nicholas Schuyler, late a surgeon in Hazen's regiment,

*Resolved*, That it be, and it hereby is recommended to the legislature of the state of New-York, to make good to doctor Nicholas Schuyler, late surgeon of Hazen's regiment, the depreciation of his pay as an officer in the late general hospital, during the time he served in that capacity.

On the report of a committee consisting of Mr. Hand, Mr. Paine and Mr. Lee, to whom was referred a motion of Mr. Paine,

*Resolved*, That the commissary of military stores, or person having the care of the public stores at Carlisle in Pennsylvania, be, and he is hereby directed to deliver to the order of the corporation of the city of New-York, the bells which have been taken from the churches and other public edifices in the said city, if any such bells remain in his possession.

## T U E S D A Y, MAY 4, 1784.

Congress assembled—Present New Hampshire, Massachusetts, Rhode Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina.

On motion of Mr. Hand, seconded by Mr. Montgomery, Whereas the supreme executive council of the state of Pennsylvania, have represented that from the dispersed situation of the officers and soldiers of the late line of that state, it is found impracticable to appoint regimental agents

agents to receive from the paymaster general the certificates for the arrears of pay due to the said officers and soldiers agreeably to the resolution of the 3d day of November last, and requested that the appointment of major Thomas B. Bowen and captain Erkurius Beatty, who have been chosen by the officers of the line of Pennsylvania, to act as agents for the whole line of that state, may be confirmed.

*Resolved*, That the said appointment be, and it is hereby approved and confirmed.

W E D N E S D A Y, MAY 5, 1784.

Congress assembled—Present eleven states as yesterday.

A motion was made by Mr. Hardy, seconded by Mr. Spaight,

That two commissioners be appointed for negotiating treaties of commerce, in addition to Mr. Adams, Mr. Franklin and Mr. Jay, now in Europe, to be chosen in such manner that the commercial interest of the different parts of the union may be equally attended to.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to postpone that motion in order to take into consideration the report of the committee on the reduction of the civil list, which is as follows—

The committee consisting of Mr. Williamson, Mr. Gerry, Mr. Tilton, Mr. Jefferson and Mr. McHenry, appointed to consider what reductions may be made in the civil list, have agreed to the following resolutions—That the following offices be discontinued, to wit, The chargé des affaires at the court of Madrid, whose salary is 4444 dollars; agent at the Hague 920 dollars; second under secretary of foreign affairs 700 dollars; the secretary of the war office 1000 dollars; agent of marine 1500 dollars; paymaster 1000 dollars; commissary of prisoners 1200 dollars; the assistant to the superintendant of finance 1850 dollars; three clerks in the office of finance, meaning that three shall remain, 1500 dollars; one clerk to the comptroller 500 dollars; two auditors 2000 dollars; one chaplain 400 dollars; the establishment of a jail

1338 1-3 dollars; doorkeeper to Congress 400 dollars, whereby an annual saving will accrue to the United States of 18,752 1-3 dollars.—That the following salaries may be reduced by taking from the allowances heretofore established, the following sums—The superintendant of finance 2000 dollars; the three foreign ministers each 1111 1-9 dollars, 3333 1-3, whereby an annual saving will accrue to the United States of 5333 1-3 dollars—That instead of the annual salary heretofore allowed to the judges of the court of appeals, they be allowed on every special occasion wherein they shall be called on, the sum of 14 dollars each for every day they shall sit in court, and the same for every day necessarily employed in travelling to and from court.

On the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New York,	Mr. De Witt	no	}	divided
	Mr. Paine	ay		
New Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no	}	no
Maryland,	Mr. Stone	no		
	Mr. Chase	no	}	no
Virginia,	Mr. Hardy	no		
	Mr. Mercer	no	}	no
	Mr. Lee	no		
	Mr. Monroe	no	}	no
North-Carolina,	Mr. Williamson,	no		
	Mr. Spaight	no	}	no
South-Carolina,	Mr. Read	no		
	Mr. Beresford	no	}	no
		no		

So the question was lost.

A



A motion was then made by Mr. Howell, seconded by Mr. Ellery, to strike out the words "two commissioners," and insert "one commissioner"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} divided
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} divided
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	} no
Maryland,	Mr. Stone	no	
	Mr. Chase	no	} no
Virginia,	Mr. Hardy	no	
	Mr. Mercer	no	} no
	Mr. Lee	no	
	Mr. Monroe	no	} no
North Carolina,	Mr. Williamson	no	
	Mr. Spaight	no	} no
South Carolina,	Mr. Read	no	
	Mr. Beresford	no	} no

So the question was lost.

On the question to agree to the main question, the yeas and nays being required by Mr. Hardy.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} divided
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	

New

New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	}
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	}
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	}
	Mr. Hand	ay	}
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	}
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	}
	Mr. Lee	ay	}
	Mr. Monroe	ay	}
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	}
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	}

So the question was lost.

A motion was then made by Mr. Hardy, seconded by Mr. Stone,

That one commissioner be appointed in addition to Mr. Adams, Mr. Franklin and Mr. Jay, for the purpose of negotiating treaties of commerce.

A motion was made by Mr. Howell, seconded by Mr. Beatty, to postpone that motion in order to take up the following—

That the interests of the United States do not require that more than three ministers plenipotentiary should be supported in Europe to negotiate treaties of commerce.

On this question the previous question was moved by the state of Virginia, seconded by the state of North-Carolina—And on the question to agree to the previous question, the yeas and nays being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	}
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	}
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	}

Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	no	} divided
	Mr. Dick	ay	
Pennsylvania,	Mr. Miffin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	no	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative, and the motion was set aside.

A motion was then made by Mr. Ellery, seconded by Mr. Sherman, to postpone the motion of Mr. Hardy, to take up a motion to the same effect, with one which was made by them on the 27th of March last, and which was referred to a committee, and not yet reported on.

On this a question of order was moved,

Whether, when a motion has been made, and that motion has been referred to a committee, it be in order to make or to move to postpone, in order to take up a motion to the same effect before the committee have reported or been discharged.

The president determined it was not in order.

An appeal was made to the house by Mr. Ellery, and on the question shall the decision of the president be reversed, the yeas and nays being required by Mr. Ellery.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} divided
	Mr. Partridge	no	

Rhode.



Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

On the question, Shall the proposition for which the motion is made to postpone, and which has been declared not to be in order, be entered on the journal? the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} 0
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	} no

Maryland,	Mr. Stone	no	}	no
Virginia,	Mr. Hardy	no		
	Mr. Mercer	no	}	no
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	no	}	no
	Mr. Spaight	no		
South Carolina,	Mr. Read	no	}	divided
	Mr. Beresford	ay		

So the question was lost.

On the question to agree to the motion of Mr. Hardy, the yeas and nays being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	divided
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	ay
Maryland,	Mr. Stone	ay		
	Mr. Chase	ay	}	ay
Virginia,	Mr. Hardy	ay		
	Mr. Mercer	ay	}	ay
	Mr. Monroe	ay		
North-Carolina,	Mr. Williamson	ay	}	divided
	Mr. Spaight	no		
South-Carolina,	Mr. Read	no	}	divided
	Mr. Beresford	ay		

So the question was lost.

THURSDAY, MAY 6, 1784.

Congress assembled—Present eleven states as yesterday.

A motion was made by Mr. Williamson, seconded by Mr. Howell,

That from the first day of August next, the salary of a minister of the United States at a foreign court, shall not exceed 9000 dollars per annum.

A motion was made by Mr. Beatty, seconded by Mr. Sherman, to strike out "9000" and insert "8000"—And on the question to agree to this, the yeas and nays being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	no
Maryland,	Mr. Stone	no		
	Mr. Chase	no	}	no
Virginia,	Mr. Hardy	no		
	Mr. Mercer	no		
	Mr. Lee	no		
	Mr. Monroe	no	}	no
North-Carolina,	Mr. Williamson,	no		
	Mr. Spaight	no	}	no
South-Carolina,	Mr. Read	no		
	Mr. Beresford	no	}	no

So it was resolved in the affirmative.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		

Massa



Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Miffin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

There being only seven states in the affirmative.

A question was moved by Mr. Mercer, seconded by Mr. Spaight,

Is the proposition on which the question was just taken for reducing the salaries of our foreign ministers from eleven thousand one hundred and eleven, to eight thousand dollars per annum, for each minister, a proposition which requires the assent of nine states?

When this question was about to be put, the yeas and nays being required by Mr. Spaight, the determination thereof was postponed till to morrow by the state of New-York.

On motion of Mr. Hardy, seconded by Mr. Gerry.

*Resolved*, That the president write to the supreme executive of the state of Delaware informing them that there are subjects of considerable importance, which demand the immediate attendance of their delegates in Congress, which

which must necessarily be postponed unless they come forward without delay, Congress having determined to adjourn on the 3d day of June next.

On the report of a committee consisting of Mr. Williamson, Mr. Sherman and Mr. Hardy, to whom was referred a memorial of captain Peter Perit,

*Resolved*, That it be, and it hereby is recommended to the state of Connecticut, to make up to Peter Perit and Joseph Hull, lately officers in the service of the United States, the depreciation of pay according to their respective ranks from the 16th day of November 1776, to the time of their return from captivity, to be charged to account of the United States.

That in settling the accounts of Peter Perit, besides the pay to which he may be entitled according to the acts of the 24th of November 1778, the 22d of May 1779, and the of 26th May 1781, on his return from captivity, he be allowed such extra pay for himself and party for the term of four months in which they served on board the armed sloop Hester, as shall amount to the excess of pay in the sea service above that by land. That pay be also allowed for his company from the 16th of November 1776, to the 7th January 1777. And whereas the said P. Perit, has produced evidence that no extra pay has been allowed to his party in the first case, nor has any pay been made his company in the second, that he be allowed in consideration of the loss of his papers at the time he was taken prisoner, to confirm the several musters by his oath.

F R I D A Y, MAY 7, 1784.

Congress assembled—Present eleven states as yesterday.

The question being taken on the question which was yesterday postponed by the state of New-York.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		

Ratified

Rhode-Island,	Mr. Ellery	no	
	Mr. Howell	no	) no
Connecticut,	Mr. Sherman	no	
	Mr. Wadsworth	no	) no
New-York,	Mr. De Witt	no	
	Mr. Paine	ay	) divided
New-Jersey,	Mr. Beatty	no	
	Mr. Dick	no	) no
Pennsylvania,	Mr. Miffin	no	
	Mr. Montgomery	no	} no
	Mr. Hand	ay	} no
Maryland,	Mr. Stone	no	
	Mr. Chase	no	) no
	Mr. Hardy	ay	
Virginia,	Mr. Mercer	ay	
	Mr. Lee	no	} divided
	Mr. Monroe	no	} no
North-Carolina,	Mr. Spaight	ay	] *
South-Carolina,	Mr. Beresford	no	] *

So it passed in the negative.

A motion was then made by Mr. Gerry, seconded by Mr. Williamson, to reconsider the resolution passed yesterday for restricting the salary of a foreign minister to the sum of eight thousand dollars, for the purpose of amending it, by changing eight into nine—And on the question to reconsider for the purpose abovementioned, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	ay	
	Mr. Blanchard	ay	) ay
Massachusetts	Mr. Gerry	ay	
	Mr. Partridge	ay	) ay
Rhode-Island,	Mr. Ellery	no	
	Mr. Howell	no	) no
Connecticut,	Mr. Sherman	no	
	Mr. Wadsworth	no	) no
New-York,	Mr. De Witt	ay	
	Mr. Paine	ay	) ay

New-Jersey,



New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	ay
Maryland,	Mr. Stone	ay		
	Mr. Chase	ay	}	ay
Virginia,	Mr. Hardy	ay		
	Mr. Mercer	ay	}	ay
	Mr. Lee	ay		
	Mr. Monroe	ay	}	ay
North-Carolina,	Mr. Williamson,	ay		
	Mr. Spaight	ay	}	ay
South-Carolina,	Mr. Read	ay		
	Mr. Beresford	ay	}	ay

So it was resolved in the affirmative.

A motion was then made by Mr. Gerry, seconded by Mr. Williamson, to strike out the word "eight" and insert the word "nine"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Wadsworth,

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	ay
Maryland,	Mr. Stone	ay		
	Mr. Chase	ay	}	ay

Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Kead	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

On the question to agree to the resolution as amended.

*Resolved*, That from the first day of August next, the salary of a minister of the United States at a foreign court, shall not exceed nine thousand dollars per annum.

A motion was then made by Mr. Gerry, seconded by Mr. Hardy, That Congress proceed in the order of the day, to the election of a secretary for foreign affairs.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to postpone that business in order to take up the following.

That from the first day of August next, the salary of a secretary for foreign affairs shall not exceed three thousand dollars per annum.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	} Maryland,

Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

Thereupon Congress proceeded to the election, and being this day informed by a letter of the 9th of March last from doctor Franklin, that Mr. J. Jay. proposed to embark for America, in the month of April, and this information corresponding with the intelligence communicated to Congress by Mr. Jay himself, in his letters of last year, Mr. Jay was put in nomination; and the ballots being taken,

Mr. John Jay, was elected secretary for foreign affairs, having been previously nominated by Mr. Gerry.

On motion of Mr. Hardy, seconded by Mr. Gerry,

*Resolved*, That a minister plenipotentiary be appointed in addition to Mr. John Adams and Mr. Benjamin Franklin, for the purpose of negotiating treaties of commerce.

Congress proceeded to the election, and the ballots being taken,

Mr. Thomas Jefferson, was elected, having been previously nominated by Mr. Hardy.

An ordinance for ascertaining the mode of locating and disposing of lands in the western territory, and for other purposes therein mentioned, being reported by a committee consisting of Mr. Jefferson, Mr. Williamson, Mr. Howell, Mr. Gerry, and Mr. Read, appointed for that purpose, was read a first time.

*Ordered*, That Monday next be assigned for the second reading.

The grand committee consisting of Mr. Jefferson, Mr. Blanchard, Mr. Gerry, Mr. Howell, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Stone, Mr. Williamson and Mr. Read, to whom was referred a motion of the delegates of Massachusetts, to revise the institution of the treasury department, and report such alterations as they may



may think proper, reported the draught of an ordinance, which was read a first time.

*Ordered*, That Tuesday next be assigned for a second reading.

MONDAY, MAY 10, 1784.

Congress assembled—Present eleven states as before.

TUESDAY, MAY 11, 1784.

Congress assembled—Present eleven states as yesterday.

On motion of Mr. Stone, seconded by Mr. Read,

*Resolved*, That the agent of marine provide suitable accommodations for Mr. Jefferson's passage to Europe.

On motion of Mr. Beatty, seconded by Mr. Howell,

*Resolved*, That the information communicated to Congress by the governor of the state of New-Jersey, in consequence of their act of the 6th of January last, as the result of his enquiry respecting the robbery of the post office at Princeton, is satisfactory, and exculpates Mr. Harrison, the postmaster at Princeton, from every suspicion of collusion or fraud.

On motion of Mr. Gerry, seconded by Mr. Williamson,

*Resolved*, That a secretary to the commission for negotiating commercial treaties be appointed, and that to morrow be assigned for that purpose.

A motion was then made by Mr. Sherman, seconded Mr. Howell,

That from and after the first day of August next, the salary of a secretary to a commission or embassy to a foreign court, or for negotiating treaties with foreign powers, shall not exceed three thousand dollars per annum.

A motion was made by Mr. Spaight, seconded by Mr. Read, to amend by inserting, "five hundred" after "three thousand,"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Howell

New-Hampshire,

Mr. Foster

Mr. Blanchard

no

no

Massachusetts,

Massachusetts,	Mr. Gerry	ay	} divided
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} divided
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} divided
	Mr. Beresford	no	

So the question was lost.

On the question to agree to the motion. the yeas and nays being required by Mr. Howell.

Resolved in the affirmative, every member answering *ay*.

### W E D N E S D A Y, MAY 12, 1784

Congress assembled—Present eleven states as yesterday.

Congress proceeded to the election of a secretary to the commission for negotiating treaties of commerce with foreign powers; and the ballots being taken,

Mr. David Humphreys was elected.

The committee consisting of Mr. Stone, Mr. Hand and Mr. Sherman, to whom was referred a letter of May 3d, from Samuel Hodgdon, commissary of military stores, enclosing a letter of 14th April, from Joseph Whiting, and other papers—report,

That it appears from the letter of Joseph Whiting, that

that a certain Luther Stoddart of Salisbury, in the state of Connecticut, hath without any lawful authority or just cause, taken, carried away and converted to his own use, military stores the property of the United States, to about the value of 23,737 $\frac{1}{2}$  dollars. That the only excuse made by the said Luther Stoddart for his conduct was, that he had got possession of continental certificates to the amount of about 7333 $\frac{1}{3}$  dollars:" whereupon

*Resolved*, That the said letters and papers be transmitted to the superintendant of finance, and that he take the most effectual measures for recovering the property of the United States, and for bringing the said Luther Stoddart, and all those concerned with him to trial, and that they may be dealt with as to law and justice appertains: and that the governor of Connecticut be requested to give every proper and necessary assistance to the superintendant of finance for effecting these purposes.

On the report of a committee consisting of Mr. Mercer, Mr. Lee, Mr. Gerry, Mr. Howell and Mr. Paine, appointed to consider of the measures proper to be adopted in order to take possession of the frontier posts.

*Resolved*, That the commanding officer of the troops now in the service of the United States be, and he is hereby directed to open a correspondence with the commander in chief of his Britannic majesty's forces in Canada, in order to ascertain the precise time when each of the posts within the territories of the United States, now occupied by British troops, shall be delivered up.

That he endeavour to effect an exchange with the British commanding officer in Canada, of the cannon and stores, at the posts to be evacuated, for cannon and stores to be delivered at West-Point, New-York, or some other convenient place; and if this cannot be accomplished, that then he cause the compliment of cannon and stores, requisite for those posts to be in readiness to be transported thither in the most convenient and expeditious manner possible.

THURSDAY, MAY 13, 1784.

Congress assembled—Present as yesterday.

The



The committee of qualifications consisting of Mr. Sherman, Mr. Beatty, Mr. Chase, Mr. Williamson and Mr. Gerry, report,

That the delegates from the state of Rhode-Island and Providence Plantations, now in Congress, were elected on the first Wednesday of May 1783, by the votes of the freemen of the said state—That by a law of the said state, the delegates are to be elected annually on the first Wednesday in May—That by an act of the legislature of the said state of the 22d of August 1777, it is resolved, "That the delegates appointed or who may be appointed to represent this state in Congress, be, and they or either of them are hereby empowered to represent said state in Congress, until they or either of them shall have due notice of their re-election, or until the delegates who may be appointed in their room shall take their seats in Congress, the act directing the election of the said delegates for one year to the contrary notwithstanding."—That none of the delegates of the said state took their seats in Congress, under the said appointment of May 1783, until the 30th day of June last, the certificate of their appointment being first produced and read in Congress on that day, which is in the words following—"State of Rhode-Island and Providence Plantations—I certify that at the anniversary election of officers civil and military for the state aforesaid, held on the first Wednesday in May, A. D. 1783, the honorable William Ellery, Jonathan Arnold, David Howell and Henry Marchant, esquires, were elected delegates to represent the said state in the Congress of the United States of America, for one year, and until others shall be appointed in their stead, and appear to take their places, Henry. Ward, sec." That by the fifth of the articles of confederation it is agreed, "that delegates shall be annually appointed in such manner as the legislature of each state shall direct to meet in Congress on the first Monday in November, in every year," whereupon your committee are of opinion that no state has right to empower its delegates to sit in Congress more than one year, under one appointment, and that the year for which the said delegates of the state of Rhode-Island were appointed, is expired. The said report being this day brought in and read.

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A motion was made by Mr. Mercer, seconded by Mr. Spaight, that Congress proceed in the consideration thereof. And on the question to agree to that motion the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Partridge	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	ay		
	Mr. Hand	no		
Maryland,	Mr. Stone	no	}	no
	Mr. Chase	no		
Virginia,	Mr. Hardy	no	}	no
	Mr. Mercer	ay		
	Mr. Lee	no		
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	no	}	divided
	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay	}	divided
	Mr. Beresford	no		

So it passed in the negative.

*Ordered,* That to-morrow be assigned for the consideration of the report of the committee of qualifications.

A motion was then made by the delegates for New-York, in the words following—

Whereas the legislature of the state of New-York have instructed their delegates in Congress as follows, to wit :  
 “ Whereas upon the conclusion of a general peace between the several belligerent powers in Europe and these United States, the posts at present occupied by the British troops in the northern and western parts of this state will be evacuated by them, and may be seized by savages inimical to these United States, whereby the inhabitants of the frontiers may be exposed to great danger and distress :



Affairs: And whereas by the sixth article of the confederation and perpetual union between the United States of America, it is declared, " That no body of forces shall be kept up by any state in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defence of such state," *Resolved* therefore that the delegates of this state in Congress be, and they are hereby instructed to represent to the United States in Congress assembled, that this state deem it essentially necessary to make provision to garrison the said posts immediately on the evacuation thereof by the British troops: that therefore the said delegates request the United States in Congress assembled to declare the number of troops which they may deem necessary for such garrisons. The said delegates at the same time informing the said United States, that it is the opinion of this legislature, that a body of troops not exceeding five hundred rank and file, properly officered, would be adequate for the purpose aforesaid; which request was accordingly made by the said delegates. And whereas it is a manifestly just construction of the said section and articles, that when the sovereignty of any state shall deem it necessary in time of peace to garrison forts for its defence, the troops are to be raised by and at the expence of such state, and that the number only is to be determined by the judgment of the United States in Congress assembled. *Resolved* therefore, That the application aforesaid was and is constitutional and reasonable, and that the legislature of this state had and have a right to a decision thereupon. That it appears by dispatches from the delegates of this state, that no such decision was made on the ninth day of this present month. That the proceedings of this legislature have already been greatly embarrassed for want of such decision; and as it is uncertain when the said United States will decide on the said request, and any further delay in prosecuting measures for the preservation of the frontiers on the frontiers of this state, and the protection of its citizens, will be highly detrimental to this state: *Resolved* therefore further, That the delegates from this state be instructed to inform Congress,

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that

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that the legislature cannot consistent with the public safety, any longer delay measures for raising a body of troops for the purposes aforesaid ; that such number will not exceed that stated in the said recited resolution, as in the opinion of the legislature adequate to the purpose. That the said delegates do without delay press upon the said United States in Congress assembled, the just right of this state to the determination aforesaid, and entreat that it may be given without further delay."

The delegates for the state of New-York, in obedience to the aforesaid instructions, move that it be resolved,

That for the purpose of garrisoning the forts within the state of New-York, necessary for the defence thereof, the said state be allowed to keep up a body of troops or forces not exceeding five hundred rank and file, properly officered. And on this the said delegates require the yeas and nays.

A motion was made by Mr. Gerry, seconded by Mr. Partridge, That the motion of the delegates of New-York be committed.

And on the question for commitment, the yeas and nays being required by Mr. De Witt.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Partridge	ay		
Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Beatty	ay	}	ay
	Mr. Dick	ay		
Pennsylvania,	Mr. Mifflin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	no		
Maryland,	Mr. Stone	ay	}	ay
	Mr. Chase	ay		
Virginia,	Mr. Hardy	ay	}	ay
	Mr. Mercer	ay		
	Mr. Lee	ay		
	Mr. Monroe	ay		

North

North-Carolina,	Mr. Williamson	ay	} <i>divided</i>
	Mr. Spaight	no	
South-Carolina,	Mr. Read	ay	} <i>ay</i>
	Mr. Beresford	ay	

So it was resolved in the affirmative.

## F R I D A Y, MAY 14, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina.

A letter of 26th April from president Weare, of New-Hampshire, was read, enclosing a return of the number of dwelling houses, the number of barns and other buildings, and the number of acres of land in the several towns and places in the said state.

## S A T U R D A Y, MAY 15, 1784.

Congress assembled—Present as yesterday.

Congress proceeded in the consideration of the report of the committee of qualifications as entered on the 13th of this month—and a division being called for by Mr. Lee,

On the question to agree to the first clause, to wit: That no state has right to empower its delegates to sit in Congress more than one year under one appointment:

The yeas and nays being required by Mr. Howell.

Resolved in the affirmative, every member answering *ay*.

On the question to agree to the second clause, to wit:

“ And that the year for which the said delegates of the State of Rhode-Island were appointed is expired.”

The yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	} <i>no</i>
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} <i>divided</i>
	Mr. Partridge	no	
Connecticut,	Mr. Sherman	no	} <i>no</i>
	Mr. Wadsworth	no	

New-

New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	ay	} divided
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	no	
	Mr. Monroe	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

M O N D A Y, MAY 17, 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina.

Mr. Hugh Williamson, and Mr. Richard Dobbs Spaight, delegates for the state of North-Carolina, produced credentials under the great seal of the state, dated the 24th day of April 1784; by which it appears, that they are appointed to represent the said state for one year, to commence from the thirteenth day of this present month May.

On motion of the delegates of Pennsylvania,

*Ordered*, That the secretary transmit to the supreme executive council of the state of Pennsylvania, all the papers relative to the case of Henry Carbery which are on the files of Congress; and that the secretary in the war-office deliver to the said executive, such papers relative to the said Henry Carbery, as are in his possession.

On the report of a committee consisting of Mr. Gerry, Mr. Jefferson and Mr. Williamson, to whom was referred a letter of 21st of April from the honorable the minister plenipotentiary of France.

*Resolved*, That the following answer be returned. SIR,



S I R,

THE United States in Congress assembled are informed by the letter which you were pleased to address to them the 21st of April, that having the last year requested of his majesty leave to return to France, you learn it has been granted, but that the official letter of the minister being lost, you expect a duplicate which will probably arrive in the recess of Congress.

It is with great concern, sir, that Congress receive this information, as it respects a minister for whom they entertain the most perfect esteem.

From the time of your arrival in America, to the signing of the provisional treaty, the conduct of the war has been attended with numerous difficulties and perils, to surmount which the joint efforts of the United States and of their great and good ally have been necessary.

Congress consider it as a fortunate circumstance that during that period the affairs of his most Christian Majesty, in this quarter have been under the direction of an able and faithful minister, whose anxiety to promote the views and essential interests of his sovereign, has been ever attended with a laudable endeavour to reconcile them to those of his allies. Without such a disposition it is evident there could not have existed a concert of those measures which by the smiles of Providence have hastened the conclusion of the late distressing war.

The abilities of the gentlemen, who, as you are informed, is to be charged with the affairs of your department, and his thorough knowledge of the principles on which the alliance was founded, will, we doubt not conspire to produce on his part such measures as will best promote the mutual interest of the two nations.

We now, sir, bid you an affectionate adieu with the fullest assurance that you will be happy in the smiles and approbation of your royal sovereign, and we sincerely wish that you may be equally so in an interview with your friends and in your future engagements.

T U E S D A Y, MAY 18, 1784.

Congress assembled—Present New-Hampshire, Massachusetts

Massachusetts Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland and Virginia; and from the state of North-Carolina, Mr. Williamson, and from South-Carolina Mr. Beresford.

A motion was made by Mr. Lee seconded by Mr. Hardy, as follows.

“Whereas it is necessary to expedite the holding treaties with the Indian nations, which it appears cannot be done but under the protection of an armed force, therefore *Resolved*, That the secretary in the war office be directed, and he is hereby directed, to order three hundred men to be in readiness to march when and to what place or places the commissioners for negotiating with the Indians or any two of them shall direct; and that the commanding officer of the said troops give such protection to the commissioners as they or any two of them shall require.—And that the said secretary give order to the different keepers of the public stores, to furnish to the order of the commissioners or any two of them, such tents, marquees and other articles as the said commissioners shall think proper.—*Resolved*, That the superintendant of finance take order for purchasing and transmitting the articles necessary for the Indian treaties, (according to a list hereunto annexed) to such places as the commissioners appointed to negotiate with the Indians or any two of them shall direct.—That he furnish such additional articles not exceeding the sum of                    dollars, as the said commissioners shall order, and that he contract with such persons as he may think proper, to furnish sixty thousand rations for the Indian treaties, at such places as the commissioners or any two of them shall direct, together with such things as shall be necessary for the expences of the said commissioners during the negotiation. *Resolved*, That the commissioners for negotiating with the Indians or any two of them, being a majority of those present, be empowered to do the business of the commission, and to appoint a secretary, messengers, interpreters, store-keepers and such artificers as they may find necessary, and to agree with them for their pay, for which they shall draw warrants on the treasury.”

Mr. Howell rising to speak to this motion, was called

to order by Mr. Mercer; and he having sat down, the following question was put to the house—

Is Mr. Howell in order to speak as a member of Congress?

On this the yeas and nays being required by Mr. Mercer.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
	Mr. Ellery	ay	
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	no	} divided
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	ay	
North-Carolina,	Mr. Williamson	no	] *
South-Carolina,	Mr. Beresford	no	

The votes of Mr. Ellery and Mr. Howell, on behalf of the State of Rhode-Island, were objected to.

### W E D N E S D A Y, MAY 19, 1784

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South-Carolina.

A motion was made by Mr. Mercer, seconded by Mr. Spaight, in the words following.

The votes of Mr. Ellery and Mr. Howell, on behalf of the State of Rhode-Island, were objected to when the preceding



preceding question was put, as not being members of Congress, and that for the following reasons :—The right of those gentlemen to represent the state of Rhode-Island was stated in a report of the committee of qualifications entered on the journals on the 13th day of the present month, in the words following, viz. (here the report to be inserted.) from which it appears that Mr. Ellery and Mr. Howell, claimed a right to sit and act as members of Congress, from an act of the legislature of that state, passed on the 22d of August 1777, which act contains the following words, “ that the delegates appointed or who may be appointed to represent this state in Congress be, and they or either of them are hereby empowered to represent said state in Congress, until they or either of them shall have due notice of their re-election, or until the delegates who may be appointed in their room shall take their seats in Congress, the act directing the election of the said delegates for one year, to the contrary notwithstanding :” and the said Mr. Ellery and Mr. Howell, affirming that the said act gave them a right under the confederation to represent the state of Rhode-Island, after a year from the time of their election as aforesaid had expired, so that they did not exceed the term of a year after first taking their seats in Congress—And the right of Mr. Ellery and Mr. Howell, to sit and act in Congress depending on a construction of the said act of Rhode-Island, and the confederation and the fact that the year from the time of their appointment as aforesaid had expired on the            day of May instant, being agreed and admitted—And the question upon the report of the committee of qualifications under those circumstances being taken in Congress, four states voted against the construction affirmed by Mr. Ellery and Mr. Howell, two in favour of such construction, and three were divided ; and when the preceding question was taken there appearing but seven states in the affirmative, including the state of Rhode-Island, and the question from its nature involving the right of Mr. Ellery and Mr. Howell, to sit and act as members of Congress, who were the only persons answering for that state, the decision of Congress is required,

Whether

Whether the state of Rhode-Island shall be entered on the journal as voting on the preceding question ?

A motion was made by Mr. Monroe, seconded by Mr. Lee, to commit the foregoing motion—And on the question to commit, the yeas and nays being required by Mr. Blanchard.

New-Hampshire,	Mr. Foster	ay	} divided
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Dick	ay	} "
	Mr. Mifflin	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	no	
	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} divided
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

After debate the foregoing motion was withdrawn, and the following motion was made by Mr. Mercer seconded by Mr. Stone,

The votes of Mr. Ellery and Mr. Howell in behalf of the state of Rhode-Island on the question entered on the journal in the following words—"Is Mr. Howell in order to speak as a member of Congress?" having being objected to as not being members of Congress, and it being alledged that the question in its nature involved the question of the right of those gentlemen to act as members of

Congress, and they being the only persons appealing to vote for the said state, the decision of Congress is required whether Rhode Island shall be entered on the journal as voting on that question.

A motion was made by Mr. Chase, seconded by Mr. Lee, to postpone that motion in order to take up the following.

The votes of Mr. Ellery and Mr. Howell, on behalf of the state of Rhode-Island being objected to when the the preceding question was put.

Have Mr. Ellery and Mr. Howell a right to speak and vote as members of Congress, after the following question, to wit: "That the year for which the said delegates of the state of Rhode-Island were appointed is expired," had been taken on the report of the committee of qualifications, and lost, as appears by the yeas and nays, to wit: (Here insert the yeas and nays.)

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Chase.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
	Mr. Ellery	ay	
Connecticut,	Mr. Howell	ay	} ay
	Mr. Sherman	ay	
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} no
	Mr. Montgomery	no	
	Mr. Hand	no	
Maryland,	Mr. Stone	no	} divided
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	ay	
	Mr. Monroe	no	} North



North-Carolina,	Mr. Spaight	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	

So the question was lost.

A motion was then made by Mr. Sherman, seconded by Mr. Beatty, to strike out the following words, "It being alledged that the question in its nature involved the question of the right of those gentlemen to act as members of Congress, and"

And on the question, Shall those words stand? the yeas and nays being required by Mr. Stone.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Partridge	no	
	Mr. Ellery	no	
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Beatty	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} divided
	Mr. Chase	no	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost, and the words were struck out.

The motion being amended to read,

The votes of Mr. Ellery and Mr. Howell, on behalf of the State of Rhode-Island, on the question entered on the journal.

journal in the following words—"Is Mr. Howell in order to speak as a member of Congress," having been objected to as not being members of Congress, and they being the only persons appearing to vote for the said state,

The decision of Congress is required whether Rhode-Island shall be entered on the journal as voting on that question.

And on the question the yeas and nays being required by Mr. Blanchard.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Partridge	ay	
	Mr. Ellery	ay	
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Miffin	ay	} no
	Mr. Montgomery	no	
	Mr. Hand	no	
Maryland,	Mr. Stone	no	} divided
	Mr. Chase	ay	
	Mr. Hardy	no	
Virginia,	Mr. Mercer	no	} no
	Mr. Lee	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson,	no	} no.
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no.
	Mr. Beresford	no	

So the question was lost.

T H U R S D A Y, MAY 20, 1784.

Congress assembled—Present the same states as yesterday, except Massachusetts, from which state Mr. Partridge only was present.

Mr.

Mr. John Stevens, a delegate for the state of New-Jersey, attended and took his seat in Congress.

A motion was made by Mr. Read, seconded by Mr. Spaight, for the purpose of removing the names of Mr. Ellery and Mr. Howell from the journal on the question taken the 19th instant, by propounding a question.

Shall the names of Mr. Ellery and Mr. Howell stand, &c.

This was objected to by Mr. Sherman and Mr. Partridge as being out of order—And on the question, “Is the motion in order?” the yeas and nays being required by Mr. Blanchard.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Partridge	no	} *
	Mr. Ellery	no	
Rhode-Island,	Mr. Howell	no	} no
	Mr. Sherman	no	
Connecticut,	Mr. Wadsworth	no	} no
	Mr. De Witt	ay	
New-York,	Mr. Paine	no	} divided
	Mr. Beatty	ay	
New-Jersey,	Mr. Dick	no	} divided
	Mr. Mifflin	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} divided
	Mr. Chase	no	
Virginia,	Mr. Hardy	ay	} ay.
	Mr. Mercer	ay	
North-Carolina,	Mr. Spaight	ay	} *
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So the question was lost.

FRIDAY, MAY 21, 1784.

Six states only attending, namely, New Hampshire, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Massachusetts, Mr. Partridge, from Rhode-Island, Mr. Howell, from Maryland, Mr. Stone,



Stone, and from North-Carolina Mr. Williamson—The president adjourned Congress till ten o'clock to morrow.

SATURDAY, MAY 22, 1784.

Four states only attending, namely, New-Hampshire, Rhode-Island, Connecticut and New-Jersey; and from Massachusetts, Mr. Partridge, from Pennsylvania, Mr. Mifflin, from Maryland, Mr. Chase, from Virginia, Mr. Mercer, from North-Carolina, Mr. Williamson, and from South-Carolina Mr. Read—The president adjourned Congress till Monday next.

MONDAY, MAY 24, 1784.

Mr. Francis Dana, a delegate for Massachusetts, attended and produced credentials, under the seal of the state; whereby it appears, that on the 11th day of February last, the said Francis Dana was elected a delegate to represent the said state in Congress, until the first day of November 1784.

Congress assembled—Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina.

A letter of this day from major general H. Knox was read; whereupon

*Resolved*, That Congress approve of the proposition of major general Knox, to send a field officer into Canada, for the purpose of ascertaining with precision and expedition the time when the posts within the United States, now occupied by the British troops, shall be evacuated; and endeavouring to effect an exchange of the cannon and stores at those posts, agreeably to a resolution of Congress of the 12th of May instant.

A motion was made by the delegates of Virginia, seconded by the delegates of South-Carolina, in the words following.

The delegates representing the states of Virginia and South-Carolina in the Congress of the United States, have maturely considered the report of the committee of  
qualifi-

qualifications on the case of Mr. Ellery and Mr. Howell, who claimed to represent the state of Rhode-Island in Congress, which report is entered on the journal on the 13th day of the present month, and also the resolution reported by the said committee—whereon four states in Congress voted that the time of service of the said Mr. Ellery and Mr. Howell, had expired on the 7th instant, agreeably to the sense and letter of the articles of confederation, two states only voting in the negative, and three states being divided. They have given all due attention to the proceedings of Congress on the said case of Mr. Ellery and Mr. Howell, as they appear on the journals of the 15th instant, together with the facts, evidences and arguments adduced as well by the said committee as by the said Mr. Ellery and Mr. Howell. And after full consideration of the same they judge it to be their duty as members of the United States in Congress, and on behalf of the states they represent, to object to and protest against the exercise of those sovereign powers delegated by the citizens of these states to the United States in Congress assembled, by the said Mr. Ellery and Mr. Howell, or either of them as being persons unauthorized according to the articles of confederation. They contend that consistently with the invariable laws of reason, and the universal practice of representative bodies, all persons who claim to exercise jointly with others, the powers of government must, if that claim is contested either when first offered or at any time posterior thereto, shew by what right they do claim: and more especially the said delegates do assert that in a body constituted as Congress is, where sovereign states have agreed to invest persons chosen by other states, with the power of governing themselves respectively, and have designated by compact how those persons shall be constituted, each state ought to have and has an undoubted right to enquire whether the rules laid down in that compact have been adhered to in the appointment of those persons—to whom, without the power of election or of removing or punishing, they have submitted their dearest rights and interests. When such enquiry is made, and the powers of persons so contested, they do insist on it as a right, which no state ought or can of right be deprived of,

of, to have such questioned powers clearly proved and judicially established, before they shall be exercised. For otherwise the exercise would determine the question of the right. The said delegates consider Congress as the only tribunal competent to decide on the right of persons claiming to act as members of their body. This is a power which all legislative bodies invariably exercise, and which must of necessity reside in them alone. And they are decidedly of opinion, that to have such right established by Congress, an affirmative vote is indispensably requisite. A direct affirmation of a right in order to establish it, is required by reason, and is used in practice. As on the contrary, to ground a right on an inference to be drawn from a proposition passed in the negative, is equally contradictory to reason and custom. A proposition not carried, determines nothing. How absurd then would it be to establish a right by a vote which determines nothing ! They apprehend that to admit that one or two states may continue a representation in Congress, contrary to the opinion of a much greater number of states, who are decided that such representation is unauthorized by the confederation, would be establishing a principle fraught with dangerous consequences to the union, and justly alarming to the citizens thereof, who have right to expect that those, and those alone, whom they have constitutionally authorized to govern them, shall be admitted to exercise sovereign authority—who have a right to demand from their delegates to be defended and protected from such usurpation and violence. When the acts of the United States go forth as the acts of persons, whose right to govern is unimpeached, their validity will be unquestioned by the people. But when vitiated acts passed by the voice of persons whom a large majority of the members representing the confederacy, consider as intruding into the councils of the union, are issued, obedience cannot be expected and ought not to be wished. If representations may be continued by the voice of one or two states, that check provided by the constitution, which directs that representatives in Congress, shall exist there only by the voice of their constituents, and the confederation is lost ; and suspicions may



may be excited among the people at large, that persons may at some future period by the act of a few designing members be continued in Congress, to the destruction of the constitution and establishment of oligarchy. On the contrary they must observe, that to require an affirmative voice of the United States, to establish the right of members, may possibly be productive of some delay of business, until states advertised of the errors which vitiate their appointments, shall have time to rectify them. On this side they see a possible temporary inconvenience; but on the other they discover a certain and actual violation of the constitution. Still however reduced, by the perseverance of Mr. Ellery and Mr. Howell, to the alternative of stopping the business of the United States at a very critical moment, or proceeding to act with them; they have judged it most adviseable to prefer the latter under a determination, on all questions where the interest of the union at large or that of the states they represent, may be materially affected, to have it stated by the yeas and nays, the manner in which they are carried; saying to themselves and to the states they represent, the right they may have to invalidate all acts passed in Congress, wherein the voices of Mr. Ellery and Mr. Howell, are deciding on the question; and also declaring and protesting against such acquiescence in the conduct of those gentlemen, which they deem to be irregular and unjustifiable, being ever hereafter considered as a precedent in similar cases; effectually to prevent which, and in order to establish a rule of proceeding, which they consider as required by reason and the confederation, they propose the following resolution—*Resolved*, That when any state shall object to the credentials under which persons may claim to act as members of Congress, such credentials shall be submitted to the committee of qualifications, who shall forthwith report to Congress a state of facts and evidences as they appear to them, but giving no opinion whatever thereon. And seven states in Congress then agreeing that such credentials convey to persons so claiming a right to act as member of Congress, then such persons shall be admitted to act under such credentials; and if seven states shall not so agree, they shall

not be permitted to sit in Congress, but the president for the time being shall, and he is hereby directed, to transmit to the state issuing such credentials, an authenticated copy of the objections, as they appear on the report of the committee of qualifications in order that any errors therein may be rectified.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to postpone the consideration of the foregoing motion, in order to take up the following, to wit :

Whereas the question on the report of the committee of qualifications, on the credentials of the delegates of the state of Rhode-Island and Providence Plantations, was taken and lost on the 15th instant ; and whereas since that period, the said delegates have been continually, called to order, and have not been permitted to speak or vote in Congress without interruption from some members : *Resolved*, That after delegates shall have been received as members into Congress, on sufficient credentials for one year, such delegates so admitted, shall not be excluded the house but by the voices of seven states.

On the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Dana	ay	} ay
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} divided
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	} no
Pennsylvania,	Mr. Miffin	ay	
	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. Stone	no	} divided
	Mr. Chase	ay	
			Virginia,

Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
North-Carolina,	Mr. Williamson	no	} *
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	} no

So the question was lost.

On the question to agree to the resolution proposed by the delegates for Virginia and South-Carolina, the yeas and nays being required by Mr. Hardy.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Dana	no	} no
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} no
	Mr. Beatty	no	
	Mr. Dick	no	} ay
Pennsylvania,	Mr. Miffin	no	
	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} divided
	Mr. Chase	no	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Williamson	ay	} *
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So the question was lost.

A motion was made by the delegates for New-York as follows.

Whereas the delegates of the state of New-York, move in Congress for a reconsideration of the act of Congress of the 18th of April 1783, respecting the quotas of the several states, with a view to obtain an abatement in the quota of the said state.

*Resolved*, That Friday next be assigned to reconsider the said act.



On the question to agree to this, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Dana	no	} no
	Mr. Partridge	no	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} no
	Mr. Beatty	no	
	Mr. Dick	no	} no
Pennsylvania,	Mr. Mifflin	no	
	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
North-Carolina,	Mr. Williamson	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	} no

So it passed in the negative.

T U E S D A Y, MAY 25, 1784.

Congress assembled—Present as yesterday.

On the report of a committee consisting of Mr. Williamson, Mr. Stone and Mr. Sherman, to whom was referred a petition of doctor Gordon, representing that with the desire of cherishing the love of liberty, he has at a considerable expence, been collecting materials for the history of the late revolution, and praying that he may have access, under the necessary restraints, to the documents and records in the archives of Congress; and that Congress would be pleased to countenance his admission to the papers of the late commander in chief.

*Resolved,* That the secretary of Congress lay before doctor

doctor Gordon, any papers or files in his office which may be desired; except instructions to the ministers of the United States in foreign countries, letters to or from those ministers, or other foreign ministers, or any acts or records which hitherto have been considered as confidential or secret.

That Congress having the fullest confidence in the prudence of the late commander in chief, have no objection to his laying before doctor Gordon, any of his papers which he shall think at this period may be submitted to the eye of the public.

The report of the committee consisting of Mr. Mercer, Mr. Lee, Mr. Gerry, Mr. Howell and Mr. Paine, "appointed to consider of the measures proper to be adopted, in order to take possession of the frontier posts," being under debate,

A motion was made by Mr. Howell, seconded by Mr. Monroe,

That there be enlisted as soon as possible, to serve for the term of three years, unless sooner discharged, four hundred and fifty men, to be employed for defence of the northwestern frontier of the United States; and that the different states furnish their quotas in the following proportions.

A motion was made by Mr. Hand, seconded by Mr. Montgomery, to postpone the consideration of that motion, in order to take up the following.

"That there be engaged as soon as possible, to serve for the term of three years, unless sooner discharged, eight hundred and ninety-six men, including non commissioned officers, for the defence of the northwestern frontiers of the United States."

And on the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} no
	Mr. Dana	no	
	Mr. Partridge	no	
			Rhode-

Rhode-Island,	Mr. Ellery	no	} no.
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no.
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no.
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay.
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	} ay
Maryland,	Mr. Stone	ay	
	Mr. Chase	ay	} ay
Virginia,	Mr. Hardy	ay	
	Mr. Mercer	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	no	} ay.
North-Carolina,	Mr. Williamson,	ay	
	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	ay	} ay

So the question was lost.

A motion was then made by Mr. Dana, seconded by Mr. Gerry, to amend the original motion, by inserting immediately after "discharged," the following words—By Congress, or unless the legislatures of five of the states should by their delegates in Congress request them or any part of them to be sooner discharged, in which case they shall be discharged by Congress accordingly.

And on the question to agree to this amendment, the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay.
	Mr. Dana	ay	
	Mr. Partridge	ay	} divided.
Rhode-Island,	Mr. Ellery	no	
	Mr. Howell	ay	} no
Connecticut,	Mr. Sherman	no	
	Mr. Wadsworth	no	} New.



New-York,	Mr. De Witt	no	}	123
	Mr. Paine	no		
New-Jersey,	Mr. Stevens	no	}	140
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	149
	Mr. Montgomery	no		
Maryland,	Mr. Stone	no	}	150
	Mr. Chase	no		
Virginia,	Mr. Hardy	no	}	170
	Mr. Mercer	ay		
	Mr. Monroe	no	}	170
North-Carolina,	Mr. Williamson	no		
	Mr. Spaight	no	}	170
South Carolina,	Mr. Read	no		
	Mr. Beresford	no	}	170

So it passed in the negative.

A motion was made by Mr. Gerry, seconded by Mr. Sherman, to amend the motion by striking out the words "there be enlisted," and in lieu thereof to insert, "it be recommended to the following states to enlist"—And on the question to agree to this amendment, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Dana	no		
	Mr. Partridge	ay	}	no
Rhode Island,	Mr. Ellery	no		
	Mr. Howell	no	}	divided
Connecticut,	Mr. Sherman	no		
	Mr. Wadsworth	ay	}	no
New-York,	Mr. De Witt	no		
	Mr. Paine	no	}	no
New-Jersey,	Mr. Stevens	no		
	Mr. Dick	no	}	no
Pennsylvania,	Mr. Mifflin	no		
	Mr. Montgomery	no	}	no
Maryland,	Mr. Stone	no		
	Mr. Chase	no	}	no

Virginia

Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

On the question to agree to the motion of Mr. Howell, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

W E D N E S D A Y, MAY 26, 1784.

Congress assembled—Present as yesterday.

The report of the committee, “appointed to consider  
of

of the measures proper to be adopted in order to take possession of the frontier posts," being under debate,

A motion was made by Mr. Read, seconded by Mr. Mercer,

That there be enlisted as soon as possible to serve for the term of three years, unless sooner discharged, 896 men, to give protection to the commissioners appointed to negotiate treaties of peace with the Indians, and to defend the northwestern frontiers of the United States, and that the different states furnish their quotas, &c.

A motion was made by Mr. Gerry, seconded by Mr. Dana, to postpone the consideration of the said motion in order to take up the following:

Whereas different opinions exist in Congress respecting their authority to make requisitions on the several states for land forces in time of peace: And whereas such a construction of the confederation as will enable Congress to make requisitions for a small number of land forces for a short period, must admit an unlimited power to extend their requisitions, both with respect to numbers and time of service, and must preclude the states from a right of deliberating, and leave them only an executive authority on the subject. And whereas Congress being authorised to make foreign and domestic loans, and to issue bills of credit if permitted to raise land forces as aforesaid in time of peace, will be furnished with such coercive means as must be very alarming to the several states—And whereas standing armies in time of peace are inconsistent with the principles of republican governments, dangerous to the liberties of a free people, and generally converted into destructive engines for establishing despotism. And whereas the United States, being remote from nations that have peace establishments, may avoid the heavy expences thereof by providing a small number of troops for garrisoning their posts and guarding their magazines, and by being always in a state of defence, on the plan of the confederation, which provides that, "every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred; and shall provide and have constantly ready for use, in public stores, a due number of field pieces and



tents, and a proper quantity of arms, ammunition and camp equipage. And whereas in a matter so doubtful, as it respects the authority of Congress, and of such high importance to the union, it is expedient that the delegates should take the sense of their constituents on the subject; and it is the duty of Congress in the interim to suspend the exercise of the powers aforesaid for that purpose. It is therefore *Resolved*, That recommendations in lieu of requisitions shall be sent to the several states for raising the troops which may be immediately necessary for garrisoning the western posts, and guarding the magazines of the United States, unless Congress should think it expedient to employ the continental troops now at West-Point in the service aforesaid.

On this motion the previous question was moved by the state of South-Carolina, seconded by the state of North Carolina.

And on the question to agree to the previous question, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Miffin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Monroe	ay	

North-

North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

The motion of Mr. Read being amended, by striking out the words, "to give protection to the commissioners appointed to negotiate treaties of peace with the Indians, and" so as to read, That there be enlisted as soon as possible to serve for the term of three years, unless sooner discharged, eight hundred and ninety six men to defend the northwestern frontiers of the United States, &c.

On the question to agree to the motion as amended, the yeas and nays being required Mr. Read,

New-Hampshire,	Mr. Foister	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Hardy, seconded by Mr. Mercer,

That 350 men be marched from the garrisons at West-Point and Fort-Pitt. to take possession of the western posts, until 896 men can be enlisted ; and that the states be required without delay, to proceed to the enlistment of their respective quotas for this purpose.

A motion was made by Mr. Gerry, seconded by Mr. Sherman, to amend that motion with the following proviso, to wit :

" Provided the inhabitants of the states of New-Hampshire and Massachusetts shall be exonerated by the United States from the extra pay due by contract to the said soldiers, from the day of October last, until they shall be discharged."

When the question on this amendment was about to be put, the yeas and nays being required by Mr. Foster, the determination thereof was postponed till to morrow by the state of New-York.

T H U R S D A Y, MAY 27, 1784.

Congress assembled—Present as yesterday.

On the question to agree to the amendment, the determination of which was yesterday postponed by the state of New-York.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
	Mr. Sherman	ay	
Connecticut,	Mr. Wadsworth	no	} divided
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	
Maryland,			



Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	no	
	Mr. Monroe	ay	
North Carolina,	Mr. Spaight	no	} *
South Carolina,	Mr. Read	no	
	Mr. Beresford	no	} no

So the question was lost.

Two reports being called for, both of which were orders of the day, and the title of the first called for, being read, viz. "Ordinance for putting the department of finance into commission." And on the question, Shall this be taken into consideration? the yeas and nays being required by Mr. Howell. The said ordinance being in the words following.

"Be it ordained by the United States in Congress assembled, That a board consisting of three commissioners, to be appointed by Congress, be instituted to superintend the treasury and manage the finances of the United States, which shall be stiled, *The board of treasury*. That the said commissioners or any two of them shall have authority to exercise all the powers vested in the superintendant of finance, by the act of Congress of the 7th February 1781, or by any subsequent acts.

That the said board shall have authority to provide a convenient office, and employ as many clerks therein as they shall find necessary. That the said commissioners and clerks previous to entering on the duties of their several offices, shall take and subscribe the oath of fidelity to the United States, and also an oath to the due execution of the duties of their offices; certificates of which several oaths shall be filed with the secretary of the United States in Congress assembled. That all the books and papers pertaining to the office of finance shall be lodged in the office of the said board of treasury. That when the said board shall be formed and ready to proceed to business, the office of superintendant of finance shall be discontinued. That each of said commissioners shall be allowed an annual salary of \_\_\_\_\_ dollars, and each clerk \_\_\_\_\_

clerk employed in said office shall receive such salary as the said board shall allow not exceeding five hundred dollars per annum: the said salaries to commence at the time that the said officers shall enter on the duties of their office. That no person to be appointed by virtue of this ordinance, a commissioner of the treasury of the United States, shall be permitted to be engaged either directly or indirectly in any trade or commerce whatsoever, on pain of forfeiting his office as a commissioner, and being forever thereafter rendered incapable of serving the United States in any office civil or military."

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} divided
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	ay	
Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Spaight	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	

So the question was lost.

The report of the committee consisting of Mr. Jefferson, Mr. Osgood and Mr. Sherman, on the powers of the committee of the states in the recess of Congress, which was the second called for, was then taken up, and the following clause being under debate: That

"That a chairman to be chosen by the committee shall preside."

A motion was made by Mr. Howell seconded by Mr. Gerry, to insert the word "monthly" after "chosen,"—And on the question to agree to that amendment, the yeas and nays being required by Mr. Wadsworth.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Dana	ay		
	Mr. Partridge	ay		
Rhode-Island,	Mr. Ellery	ay	}	ay
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	divided
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Stevens	no	}	no
	Mr. Beatty	no		
	Mr. Dick	no	}	no
Pennsylvania,	Mr. Montgomery	no		
	Mr. Hand	no	}	divided
Maryland,	Mr. Stone	ay		
	Mr. Chase	no	}	no
Virginia,	Mr. Hardy	no		
	Mr. Mercer	no	}	no
	Mr. Lee	no		
	Mr. Monroe	ay	}	divided
North-Carolina,	Mr. Williamson	ay		
	Mr. Spaight	no	}	no
South-Carolina,	Mr. Read	no		
	Mr. Beresford	no	}	no

So the question was lost.

After further debate,

Ordered, That the further consideration of the report be postponed till Saturday next

Ordered, That Saturday next be assigned for appointing a committee of the states to sit in the recess of Congress.



FRIDAY, MAY 28, 1784.

Congress assembled—Present as before.

Sundry reports being called for, which were orders of the day, and the title of the first called for, being read, viz. "An ordinance for ascertaining the mode of locating and disposing of lands in the western territory," which is as follows.

**AN ORDINANCE** for ascertaining the mode of locating and disposing of **LANDS** in the **WESTERN TERRITORY**.

**BE** it ordained by the United States in Congress assembled, That the territory ceded by individual states to the United States, when the same shall have been purchased of the Indian inhabitants, and laid off into states, shall be disposed of in the following manner. It shall be divided into hundreds of ten geographical miles square, each mile containing 6086 feet, and four-tenths of a foot; by lines to be run and marked due north and south, and others crossing these at right angles, the first of which lines, each way, shall be at ten miles distance from one of the corners of the state within which they shall be. But if the Indian purchase shall not have included any one of the corners of the state, the lines shall then be run at the termination of integral miles, as measured from some one of the corners, but shall be extended, by actual marks, only so far as the purchase extends. These hundreds shall be subdivided into lots of one mile square each, or 850 acres and four-tenths of an acre, by marked lines running in like manner due north and south, and others crossing these at right angles.

For laying off the said territory, surveyors shall be appointed by Congress, or the Committee of the States, who shall proceed forthwith, under the direction of the register hereafter to be mentioned, to divide the same into hundreds, by lines in the directions, and at the intervals beforementioned; which lines shall be measured with a chain, shall be plainly marked by chaps or marks on the trees, and shall be exactly described on a plat, whereon

shall

shall be noted, at their proper distances, all watercourses, mountains, and other remarkable and permanent things, over or near which such lines shall pass.

The hundreds being laid off and marked, nine of them shall be assigned as a district to each surveyor, who shall then proceed to divide each hundred of his district into lots as before directed, beginning with the hundreds most in demand, and measuring, marking and platting the said dividing lines thereof in the manner before directed for the hundreds; save only that the lines of the lots shall be distinguished by a single mark on each tree, and those of the hundreds by three marks. And that the said lots may be capable of more accurate description and distinction from each other, those in every hundred shall be designated by the numbers in their order from 1 to 100, beginning at the northwestern lot of the hundred, and applying the numbers from 1 to 10, to the lots of the first row from west to east successively; those from 11 to 20, to the lots of the second row from west to east and so on. The surveyors shall pay due and constant attention to the variation of the magnetic meridian, and shall run and note all lines by the true meridian, certifying with every plat what was the variation at the time of running the lines thereon noted.

A register shall be appointed by Congress, for each of the states within which the said territory shall lie, who shall keep his office within the said state, be resident at it himself, and provide a seal for authenticating its acts. To him returns shall be made, by the several surveyors, on the last days of March and August in every year, of the plats of all lines measured and marked by them in the preceding half year, to be by him collated, and reduced into a general map of the whole state for which he acts. He shall annually, to wit, on the first Monday in November of every year, deliver, or cause to be delivered, to the secretary of Congress, a copy of such portions of the said general map as shall have been formed, or further filled up, during the preceding year; retaining one in his own office for the use thereof. He shall have power to suspend any surveyor for negligence or malversation, making report thereof to Congress, or a

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Committee of the States, that they may direct a proper enquiry.

Each register shall cause to be printed, under such devices, difficult of imitation, as he shall think best, warrants, each of which shall give right to one lot of a mile square, described as before directed : and other warrants for each of the said States, which shall give right, each of them to one of the hundreds of ten miles square as before described : these warrants shall have blanks for names and dates ; shall be numbered and signed by the register ; sealed with the seal of his office ; and shall be cut with indentures from a book, the margin of which shall be numbered in correspondence with the warrant cut therefrom, and shall be preserved in the office as a further check. The said warrants shall be deposited in the treasury of the United States, and the treasurer thereon debited with them. From thence they shall be sent in such numbers as the register issuing them shall direct, to the commissioner of the loan-office for the United States in each of the states within the union ; the treasurer countersigning them on parting therewith, and having a credit duly entered in his own account with the United States, and a debit against the loan officer to whom they are sent.

Any person chusing to become a purchaser of lands within the said territory, and paying to the treasurer or loan-officer, the sum of                    dollars, shall receive in lieu thereof, one of the said smaller warrants entitling him to a lot, or paying                    dollars, shall receive in lieu thereof one of the said larger warrants, entitling him to a whole hundred within the state from which the warrant issued ; the treasurer or loan officer inserting the name of the purchaser in the proper blank, filling up the date, and attesting the warrant by his own subscription. Loan-office certificates reduced to their specie value by the scale of depreciation, or certificates of liquidated debts of the United States, shall be receivable for the said warrants in lieu of money ; and evidences of military rights to lands, hereinafter to be described, shall be receivable instead of the price itself of so much land. These warrants shall pass as lands by descent or devise, but not by assignment nor by survivorship.

The owner of any warrant proceeding to locate the  
same



same, shall deliver it to the surveyor of the district, where-  
in his location is to be, describing to him the particular  
lot on which he places it, or the hundred, if it be a war-  
rant for a hundred, by a designation of some point, either  
natural or artificial within the said lot or hundred, so  
singular and certain as may be adapted to no other lot  
or hundred; or by reference to the position of the hun-  
dred, or number of the lot; which description the survey-  
or shall immediately enter in a book well bound, with  
the date of the entry, describing the warrant located  
thereon by its number, date, signatures and name  
of the original owner, and leaving no blank space  
or leaf between that and the preceding entry, nor any  
margin by its side. If the location be made before the lot  
or hundred be yet laid off by lines actually run and  
marked, the surveyor shall retain the warrant in his hands  
until the hundred, if it be for a hundred, or until all  
the lots of the hundred, if it be for a lot, shall be actually  
laid off by marked lines: and then, or at the time of the  
entry, if the lines were marked before the entry was  
made, having satisfied himself by proper evidence, or by  
his own inspection and examination, on what particular  
lot, or on what hundred, the location is, and that there  
has been no previous location on the same, he shall give  
to the party a certificate, describing the lot or hundred  
so specially as that it may be known from all others, by  
particular marks or circumstances, natural or artificial, by  
stating the order or position of the hundred, relatively  
to the boundaries of the state, and specifying the lot by  
its number: with which certificate he shall return the  
warrant also to the party. These being delivered to the  
register, and the warrant examined and found genuine by  
him, he shall give a receipt for the same, and in due time  
proceed to execute a grant of the land in the following  
form,---“ A. B. register of the land-office of the United  
States, within the state of \_\_\_\_\_ to all to whom  
these presents shall come greeting: Know ye, that for  
good consideration, there is granted by the United States  
of America, unto C. D. a certain lot [or hundred of land  
as the case shall be, describing it from the certificate]  
within the said state of \_\_\_\_\_ to have and to hold  
the said lot [or hundred] of land, with its appurtenan-  
ces

ces, to him the said C. D. and his heirs forever. In witness whereof, the said A. B. register of the land-office of the said state, hath hereunto set his hand, and caused the seal of his office to be affixed, this                    day of                    in the year                    and of the independence of the United States the                    .” Which grant shall be entered of record, at full length, in good well bound books to be provided for that purpose, at the expence of the United States, and kept by the register; and being so entered, shall be certified to have been registered, and then be delivered to the party or his order. Different lots, adjoining side by side within the same hundred, may be included and passed by the same grant; but separate lots, and lots in different hundreds, as also different hundreds, shall be passed by different grants. No fractions of a lot shall be granted, unless where such fractions are occasioned by the boundary of the state, or of the Indian conveyance. Until a temporary government shall be established in any state, according to the resolutions of Congress of April                    1784, the lands therein shall pass in descent and dower, according to the customs known in the common law, by the name of gavelkind; and shall be transferable by deed or will proved by two witnesses. But so soon as a temporary government shall be so established they shall become subject to the laws of the state, and shall never after, in any case, revert to the United States. Where a grant shall be made out to the heir or devisee of the person in whose name the warrant was originally issued, he shall be named in the said grant as heir or devisee.

For preventing hasty and surreptitious titles, the register shall execute no grant for lands until the warrant and certificate delivered him for the same shall have remained in his office                    months: at any time within which period, any person claiming the same lands under a prior location, shall be at liberty to enter a caveat, with the register, against the execution of any grant to the other, setting forth in the entry, a copy of the location under which himself claims. The register shall thereupon issue a summons reciting the entry made with him, and calling the defendant to appear, at a certain time and place, in defence



defence of his right ; which summons being served, and the parties appearing, he shall refer the decision to three arbitrators to be chosen by them, or if they cannot agree, then to three intelligent, honest and indifferent persons, to be named by himself ; which arbitrators being first sworn to do justice between the parties according to the best of their knowledge and abilities, by the register, who is hereby authorized to administer such oath, shall proceed thereon at such times and places as they shall appoint, giving notice thereof to the parties, and their award being rendered, the register shall execute a grant to the plaintiff or defendant, conformably therewith. The party whose location is annulled, shall be authorized to receive again his warrant, and to locate it on other lands. If the defendant being summoned, or the plaintiff fails to appear by himself or another before the register, on the day appointed, the register may give a further day, or in his discretion may proceed on the evidence before him, to execute a grant to the party having the right. If the defendant fails to appear, and there be no sufficient proof that the summons has been served, the register shall issue a new summons, unless it shall be proved that he hath been sought at the usual place of his dwelling, and hath not been found, in which case the summons shall be advertised three times in some gazette of the state wherein he then resides, or last was known to reside, giving a new day of appearance, which shall not be within less than                    months after the date of the third publication, and on his failing to appear at that day, the register shall proceed to decision. But in case of a decision against the defendant, where there was no actual service of the summons, he shall be allowed at any time within one year after such decision, a rehearing before arbitrators to be appointed and qualified as directed in the case of an appearance ; but on such rehearing, the mere right alone shall be tried.

The register, together with the map before directed to be delivered annually to the secretary of Congress shall report a calendar of all grants executed by him ; stating in different columns thereof the date, grantee, quantity, how much of that was for military service, the hundred and lot,

The



The monies arising from the sale of warrants shall be applied to the sinking such part of the principal of the national debt as Congress shall from time to time direct, and to no other purpose whatsoever.

The register before he enters on the duties of his office, shall give such bond and security for the faithful discharge thereof, as Congress or the Committee of the States shall approve; and shall be entitled to receive, for the execution of every grant,           dollars, for every lot the same shall contain, or           dollars, if it be for a whole hundred: which shall be paid at the time he receives the warrant and certificate, and shall be deemed satisfaction for all the services and expences of his office, except the purchase of books for registering grants, and of the seal of his office.

Every surveyor shall also, before he enters on the duties of his office, give such bond and security for the faithful discharge thereof, as Congress or the Committee of the States shall approve; and shall be entitled to receive, for every lot located with him,           dollars, and           dollars for a whole hundred; which shall be paid at the time of location, and shall be deemed satisfaction for all the services and expences of his office. But where he shall have admitted more locations than one on the same land, he shall restore the fees received from the party whose location shall be set aside.

A surveyor desiring to locate land for himself, shall make such location with the register.

And whereas Congress by their resolutions of September 16, 1776, and August 12, 1780, stipulated grants of land to the officers and soldiers who should engage in the service of the United States, and continue therein to the close of the war, or until discharged by Congress, and to the representatives of such officers and soldiers as should be slain by the enemy, in the following proportions, to wit: To a major general 1100 acres, to a brigadier 850, to a colonel 500, to a lieutenant colonel 450, to a major 400, to a captain 300, to a lieutenant 200, to an ensign 150, and to a noncommissioned officer or soldier 100:—For complying therefore with such stipulation, and for ascertaining the evidence of rights accruing under the same.

same, which shall be receivable instead of money, it is ordained, that the evidence to be required from commissioned officers, shall be a certificate from the war-office of their rank and continuance in service to the end of the war; from noncommissioned officers and soldiers, a certificate from the captain of their company, countersigned by the officer who commanded their regiment at the time of their discharge, that they were enlisted into the service of the United States during the war, and continued therein to the close of it, to wit, to the day of 1783, and from the representatives of such officers and soldiers as were slain by the enemy, a certificate from the same authority, of the rank or term of enlistment of the deceased, and that he was slain by the enemy, together with satisfactory affidavits that they are his representatives; which evidences shall be receivable by the loan-officers of the United States, in the state to the line of which he belonged, or by the treasurer if he belonged to the line of no state: and on the warrant issued, shall be an endorsement, signed by the treasurer or loan-officer, declaring the proportion thereof which was satisfied by military service; and in the same proportion shall all fees be abated to which that warrant would otherwise be subject. The proceedings on it in all other respects shall be the same as on a warrant issued wholly for money.

Saving and confirming always to all officers and soldiers entitled to lands on the northern side of the Ohio, by donation or bounty from the commonwealth of Virginia, and to all persons claiming under them all rights to which they are so entitled by the laws of the said state, and the acts of Congress accepting the cession of western territory from the said states.

On the question, Shall this be taken into consideration? the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	}	*
Massachusetts,	Mr. Gerry	no		
	Mr. Dana	no	}	no
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	divided
	Mr. Howell	ay		

Connecticut

Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New Jersey,	Mr. Stevens	no	}	no
	Mr. Beatty	no		
	Mr. Dick	no		
Pennsylvania,	Mr. Miffin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no		
Maryland,	Mr. Stone	no	}	no
	Mr. Chase	no		
Virginia,	Mr. Mercer	ay	}	divided
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	ay	}	ay
	Mr. Spaight	ay		
South Carolina,	Mr. Read	no		*

So the question was lost.

The title of the second report called for, being read,  
viz

“ Report of Mr. Beresford, Mr. Jefferson, Mr. Chase, Mr. Spaight and Mr. Read, on Indian affairs in the southern department.”

On the question, Shall this be taken into consideration the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	}	*
Massachusetts,	Mr. Gerry	no		
	Mr. Dana	no	}	no
	Mr. Partridge	no		
Rhode Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	divided
	Mr. Paine	no		
New-Jersey,	Mr. Stevens	ay	}	ay
	Mr. Beatty	ay		
	Mr. Dick	no		
Pennsylvania,	Mr. Miffin	ay	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay		
			Maryland,	



Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Mercer	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	] *

So the question was lost.

The third report called for was taken up, viz.

A report of the grand committee consisting of Mr. Jefferson, Mr. Blanchard, Mr. Gerry, Mr. Howell, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Stone, Mr. Williamson and Mr. Read, to whom was referred the motion of the delegates for Massachusetts, to revise the institution of the treasury department, and report such alterations as they may think necessary—which report is in the words following.

The committee are of opinion, that the United States have derived very great advantages from the arrangement and management of their finances, under the administration of the honorable Robert Morris, as superintendant thereof: but as he has signified his resolution to retire from the said office, your committee are of opinion that it will be expedient to make seasonable provision for such event—And for preventing the inconveniencies that may attend the filling the said office when vacancies happen, by persons unexperienced in the business thereof, and for securing the general confidence of the states in the administration of the business of the treasury, that it will be proper to vest the authorities of the said office in a board of commissioners: and therefore the committee submit to Congress the following ordinance. Here follows the ordinance for putting the department of finance into commission, as entered on the journal of the 27th instant. *Resolved*, That a committee be appointed to prepare an ordinance for making the necessary alterations in the arrangement of the treasury department, and for more particularly defining the powers of the board of treasury.

A motion was made by Mr. Williamson, seconded by  
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Mr. Read, to postpone the said report, in order to consider the proper means of securing the western posts, and protecting the commissioners in negotiating treaties with the Indians.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Mercer	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	] *

So the question was lost.

Congress took into consideration the "ordinance for putting the department of finance into commission;" and the following clause being under debate.

That each of the said commissioners shall be allowed an annual salary of                      dollars.

A motion was made by Mr. Read, seconded by Mr. Hardy, to fill the blank with "three thousand six hundred"—And on the question to agree to this sum, the yeas and nays being required by Mr. Lee. New

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Dana	no		
	Mr. Partridge	no	}	no
Rhode-Island,	Mr. Ellery	no		
	Mr. Howell	no	}	no
Connecticut,	Mr. Sherman	no		
	Mr. Wadsworth	no	}	no
New-York,	Mr. De Witt	no		
	Mr. Paine	no	}	no
New-Jersey,	Mr. Stevens	no		
	Mr. Dick	no	}	no
Pennsylvania,	Mr. Mifflin	no		
	Mr. Montgomery	no	}	no
	Mr. Hand	no		
Maryland,	Mr. Stone	no	}	no
	Mr. Chase	no		
Virginia,	Mr. Hardy	ay	}	ay
	Mr. Mercer	ay		
	Mr. Lee	no		
	Mr. Monroe	ay		
North-Carolina,	Mr. Williamson	ay	}	ay
	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay	}	ay
	Mr. Beresford	ay		

So it passed in the negative.

A motion was made by Mr. Williamson, seconded by Mr. Spaight, to fill the blank with "two thousand nine hundred and fifty"—And on the question to agree to this, the yeas and nays being required by Mr. Stone.

New-Hampshire,	Mr. Foster	no	}	divided
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Dana	ay		
	Mr. Partridge	no	}	no
Rhode-Island,	Mr. Ellery	no		
	Mr. Howell	no	}	no
Connecticut,	Mr. Sherman	no		
	Mr. Wadsworth	no	}	no

New-



New-York,	Mr. De Witt	no	} no.
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay.
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay.
	Mr. Montgomery	no	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay.
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay.
	Mr. Mercer	a	
	Mr. Lee	no	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay.
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay.
	Mr. Beresford	ay	

So it was resolved in the affirmative.

On motion of Mr. Gerry, seconded by Mr. Sherman a *Resolved*, That the last vote be reconsidered; and instead of two thousand nine hundred and fifty, be inserted two thousand five hundred.

The ordinance being amended and read a second time, ordered that it be read a third time.

The ordinance as amended, being read a third time, on the question to agree to the same, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} divided.
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Dick	ay	

Pennsylvania,

Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it was resolved in the affirmative, and the ordinance passed as follows.

**AN ORDINANCE** for putting the department of finance into commission.

BE it ordained by the United States in Congress assembled, That a board consisting of three commissioners to be appointed by Congress, be instituted, to superintend the treasury and manage the finances of the United States, which shall be styled, **THE BOARD OF TREASURY.**

That the said commissioners, or any two of them, shall have authority to exercise all the powers vested in the superintendant of finance, by the act of Congress of the seventh day of February, one thousand seven hundred and eighty-one, or by any subsequent acts.

That the said board shall have authority to provide a convenient office, and employ as many clerks therein as they shall find necessary, reporting their names and appointments from time to time to Congress, or to the Committee of the States in the recess of Congress.

That the said commissioners and clerks, previous to entering on the duties of their several offices, shall take and subscribe the oath of fidelity to the United States, and also an oath to the due execution of the duties of their respective offices; certificates of which several oaths shall be filed with the secretary of the United States in Congress assembled.

That all the books and papers pertaining to the office  
of

of finance shall be lodged in the office of the said board of treasury.

That on the tenth day of November next, or sooner, if the superintendant of finance agreeable to his expectation, shall quit the office, the said board, being formed, shall proceed to business.

That each of the said commissioners shall be allowed an annual salary of two thousand five hundred dollars.

That each clerk employed in the said office, shall receive such salary as the said board shall allow, not exceeding five hundred dollars per annum; the said salaries to commence at the time that the said officers shall enter on the duties of their office.

That no person to be appointed, by virtue of this ordinance, a commissioner of the treasury of the United States, shall be permitted to be engaged, either directly or indirectly, in any trade or commerce whatsoever, on pain of forfeiting his office as a commissioner.

That the said commission shall continue in force for three years, unless sooner revoked by the United States in Congress assembled.

Done, &c.

*Ordered,* That Monday next be assigned for appointing commissioners to constitute the board of treasury.

SATURDAY, MAY 29, 1784.

Congress assembled—Present as before.

Two reports being called for, which were both orders of the day, and the title of the first called for being read, viz—report of grand committee consisting of Mr. Stone, Mr. Blanchard, Mr. Gerry, Mr. Howell, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Hardy, Mr. Williamson and Mr. Read, on a letter of 29th April from the superintendant of finance respecting loan offices, which is in the words following.

“The grand committee to whom was referred a letter from the superintendant of finance of the 29th of April last, are of opinion that it will be necessary to continue the continental loan offices in the several states, for  
the



the purpose of paying the monies borrowed in the said offices, and the annual interest thereon, pursuant to the act of Congress of the 3d day of October 1776. That all monies collected by the several states, for the United States may likewise be paid into that office, and the other receivers be discontinued. The committee thereupon submit the following resolves. That from and after the first day of August next, all monies collected in the several states for the use of the United States, shall be paid into the continental loan office, in said states respectively; and all other receivers of such monies shall be discontinued. That loan officers shall be appointed by the legislatures, or in their recess, or by their consent, by the supreme executives of the states respectively; but when so appointed, shall be amenable to and removable by the United States in Congress assembled, or such officer or board as shall have the management of the finances of the United States. That no person shall be appointed to such office, who shall have neglected or refused to adjust his public accounts, or to pay the balance due thereon to the United States. That the said loan officers respectively be entitled to receive        per cent on all monies that shall be brought into their respective loan offices, in lieu of all claims and demands for transacting the business of said offices.—That the receivers of continental taxes who have been appointed in the several states by the superintendant of finance, shall receive for their services a commission on the monies by them actually received for the United States, at the rates heretofore fixed by the said superintendant of finance. That with respect to the receipts taken by the loan officer in Connecticut for interest by him paid on loan office certificates, it would have been more regular to have inserted the number of the certificates, but as the sum of money paid was endorsed on the certificates at the time of payment, the committee are of opinion that the United States are secured against any further demand for the interest paid; and that said receipts may be admitted as vouchers of the payment, in settling the accounts of the loan office.”

On the question, Shall this report be taken up? the yeas and nays being required by Mr. Paine.

New-

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	
Maryland,	Mr. Stone	no	} no
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

The report of the committee, on the powers with which the Committee of the States should be invested, was then taken up. Whereupon

*Resolved*, That the Committee of the States, which shall be appointed pursuant to the ninth of the articles of confederation and perpetual union, to sit in the recess of Congress, for transacting the business of the United States, shall possess all the powers which may be exercised by seven states in Congress assembled, except those of sending ambassadors, ministers, envoys, residents, consuls or agents, to foreign countries or courts—establishing rules for deciding what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided

vided or appropriated—establishing courts for receiving and determining finally appeals in cases of capture—constituting courts for deciding disputes and differences arising between two or more states—fixing the standard of weights and measures for the United States—changing the rate of postage on the papers passing through the post offices established by Congress—of repealing or contravening any ordinance or act passed by Congress—or appointing civil or military officers, unless to supply the places of such within the United States as the Committee may suspend for misconduct, or to fill up vacancies which may hereafter happen, by death, resignation, or other ways, within the said states; provided such appointments shall not continue more than one month after the assembling of Congress in November next, unless confirmed by them.

That no question, except for adjourning from day to day, shall be determined without the concurrence of nine states.

That a chairman, to be chosen by the Committee, shall preside.

That the officers of Congress, when required, shall attend on the said Committee.

That the Committee shall keep a journal of their proceedings to be laid before Congress; and that in these journals, which shall be published monthly, and transmitted to the executives of the several states, shall be entered the yeas and nays of the members, when any one of them shall have desired it before the question be put.

That if it shall happen that any of these United States shall not be represented in Congress at the time of electing the Committee of the States, or if no delegate shall be elected by Congress for any particular state, such state or states may be represented therein by any one of the delegates of such state or states, and the members of the delegation of any state may relieve each other, in such manner as may be agreed on by themselves, or directed by their state.

In case any unexpected and very important business occurs, in which the Committee may think the happiness or peace of the United States is involved, and to which



they are not competent, it shall be their duty to appoint a day for the meeting of Congress prior to that to which they stand adjourned, and to give notice of the same to the supreme executives of the several states, that the delegates may have notice to attend.

That the Committee shall have power to receive communications from foreign ministers, and lay them before the Congress when they shall convene, but shall transact no business with them, unless authorized thereto by particular acts of Congress.

On motion of Mr. Gerry, seconded by Mr. Howell,

*Resolved*, That the Committee of the States be, and they are hereby authorized and instructed to prepare and report to Congress, an ordinance for making the necessary arrangements of the treasury, and for more particularly defining the powers of the board of treasury, and also to revise the institution of the office for foreign affairs, and of the war-office, and to report such alterations as they may judge necessary.

Congress proceeded to appoint, "*a Committee of the States*;" and the ballots being taken, the following members were elected.

For New-Hampshire, Mr. Blanchard.

Massachusetts, Mr. Dana.

Rhode-Island, Mr. Ellery.

Connecticut, Mr. Sherman.

New-York, Mr. De Witt.

New-Jersey, Mr. Dick.

Pennsylvania, Mr. Hand.

Maryland, Mr. Chase.

Virginia, Mr. Hardy.

North Carolina, Mr. Spright.

South-Carolina, Mr. Read.

On the report of a committee consisting of Mr. Gerry, Mr. Dana and Mr. Howell, to whom was referred a note from the honorable the minister plenipotentiary of his most christian majesty, Congress came to the following resolution.

Whereas Congress have been informed by a note addressed to them by the chevalier de la Luzerne, minister plenipotentiary of his most christian majesty, of the 20th instant, and the papers accompanying the same, that a violation

violation of the laws of nations, hath been committed by one Longchamps, who calls himself chevalier de Longchamps, a subject of his most christian majesty, by a violent assault and battery by him lately made in the city of Philadelphia, upon the person of Mr. Marbois, consul general and secretary to the above legation : and that although a warrant for apprehending the offender has been duly issued, in consequence of directions given by the president of the state of Pennsylvania, upon application to him made for that purpose by the said minister, he has not yet been apprehended, but absconds, and is supposed to have fled from justice into some other of these United States. Wherefore to the end the said Longchamps may be brought to condign punishment for his said offence, and that the privileges and immunities of foreign ministers, and of their families and houses, be preserved inviolate,

*Resolved*, That it be, and it is hereby recommended to the supreme executive authority of each of these United States, forthwith to issue their proclamations, offering a reward of five hundred dollars, to be reimbursed by the United States to the state paying the same, for discovering the said Longchamps, so that he may be arrested ; and requiring their proper civil officers to arrest him, and their citizens in general to be aiding and assisting therein, that he may be brought to justice for his said violation of the laws of nations and of the land, and all others may be deterred from the commission of such offences.

M O N D A Y, MAY 31, 1784.

Congress assembled—Present as before.

The journal of Saturday being read, a motion was made by Mr. Mercer, seconded by Mr. Hardy, to amend the same, by inserting immediately before the appointment of the Committee of the States, the words following, to come in before the word " Congress."

" the several states having previously made their nominations except in the case of Rhode Island."

On this the previous question was moved by the state of Rhode Island, seconded by the state of Massachusetts—

And

And on the question to agree to the previous question, the yeas and nays being required by Mr. Mercer.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} divided
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	ay	} no
Pennsylvania,	Mr. Mifflin	no	
	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M <sup>r</sup> Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	} no
Virginia,	Mr. Hardy	no	
	Mr. Mercer	no	} no
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

A motion was then made by Mr. Howell, seconded by Mr. Blanchard, to postpone the motion before the house, in order to take up the following.

“ Mr. Blanchard having been previously nominated by the state of New-Hampshire, Mr. Dana by Massachusetts, Mr. Ellery by Mr. Dana, Mr. Hillhouse having been nominated by Connecticut, Mr. M'Dougal by the state of New-York, Mr. Dick by New-Jersey, Mr. Hand by Pennsylvania, Mr. M<sup>r</sup> Henry by Maryland, Mr. Hardy by Virginia, Mr. Spaight by North-Carolina, and Mr. Read by South-Carolina—Mr. De Witt having been also nominated for New-York by Mr. Beatty, and Mr. Sherman for Connecticut by Mr. Williamson.” And on the question



to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} divided
	Mr. Dana	no	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} divided
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	
Maryland,	Mr. Chase	ay	} *
Virginia,	Mr. Hardy	no	
	Mr. Mercer	no	} no
	Mr. Monroe	ay	
	Mr. Williamson	no	
North-Carolina,	Mr. Spaight	no	} no
	Mr. Read	no	
South-Carolina,	Mr. Beresford	ay	} divided

So the question was lost.

On the question to agree to the motion before the house, the yeas and nays being required by Mr. Mercer.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	

Penn.

Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	ay	
	Mr. Hand	no	
Maryland,	Mr. Chase	no	} *
	Mr. Hardy	ay	
	Mr. Mercer	ay	
Virginia,	Mr. Monroe	no	} ay
	Mr. Williamson	ay	
	Mr. Spaight	ay	
North-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	no	
South-Carolina,			} divided

So it passed in the negative.

The committee consisting of Mr. Stone, Mr. Hand, Mr. Read, Mr. Mercer and Mr. Beatty, to whom was referred the application of the state of New-York, for Congress to declare the number of troops which are necessary to be kept up by the said state, to garrison the forts necessary for the defence thereof, having reported "as their opinion, that men, including noncommissioned officers, will be requisite to garrison the forts necessary for the defence of the said state;" and thereupon submit the following resolution—"That the state of New-York be permitted to raise men, including noncommissioned officers, for the purpose of garrisoning such posts within the said state not possessed by the forces of the United States, as the said state shall judge proper; which troops so to be raised by the state of New-York, shall be discharged whenever the United States in Congress assembled shall so direct."

A motion was made by Mr. Williamson, seconded by Mr. Read, that to morrow be assigned for the consideration of the said report.

And on the question, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	

Connecticut,

Connecticut,	Mr. Sherman	ay	}	ay
	Mr. Wadsworth	ay		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Stevens	ay	}	ay
	Mr. Beatty	ay		
	Mr. Dick	ay	}	ay
Pennsylvania,	Mr. Mifflin	ay		
	Mr. Montgomery	ay	}	ay
	Mr. Hand	ay		
Maryland,	Mr. M <sup>c</sup> Henry	ay	}	ay
	Mr. Stone	ay		
	Mr. Chase	ay	}	ay
Virginia,	Mr. Hardy	ay		
	Mr. Mercer	ay	}	ay
	Mr. Monroe	ay		
North-Carolina,	Mr. Williamson	ay	}	ay
	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay	}	ay
	Mr. Beresford	ay		

So it was resolved in the affirmative.

## T U E S D A Y , J U N E 1 , 1784.

Congress assembled—Present eleven states as before.

A motion was made by Mr. Gerry, seconded by Mr. Sherman, in the words following.

Whereas the president is authorized and directed to adjourn Congress on the 3d of June, to meet on the 30th of October next at Trenton, and many important matters require the immediate decision of Congress,

*Resolved*, That until the adjournment, Congress will meet precisely at nine in the morning, and adjourn at two in the afternoon; meet again at four, and adjourn at eight o'clock in the evening.

A motion was made by Mr. Spaight, seconded by Mr. Read, to postpone that motion in order to take up the following.

Whereas the president is authorized and directed to adjourn Congress on the 3d of June, to meet on the 30th of



of October next at Trenton, and many important matters require the immediate decision of Congress,

*Resolved*, That the act of 26th April, empowering the president to adjourn Congress on the 3d instant, be repealed; and that this Congress will adjourn itself on the 12th instant, to meet at Trenton on the 30th of October next.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Dana	no		
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	no
	Mr. Howell	no		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	no	}	no
	Mr. Paine	no		
New-Jersey,	Mr. Stevens	no	}	no
	Mr. Beatty	ay		
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	no	}	no
	Mr. Montgomery	no		
	Mr. Hand	no		
Maryland,	Mr. M'Henry	no	}	no
	Mr. Stone	no		
	Mr. Chase	no		
Virginia,	Mr. Hardy	ay	}	ay
	Mr. Lee	ay		
	Mr. Monroe	no		
North-Carolina,	Mr. Williamson	ay	}	ay
	Mr. Spaight	ay		
South-Carolina,	Mr. Read	ay		*

So it passed in the negative.

On motion of Mr. Sherman, seconded by Mr. Stone, the motion before the house was amended, by striking out the preamble.

And on the question to agree to the motion as amended, the yeas and nays being required by Mr. Gerry.

New-

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} divided
	Mr. Spaight	no	
South-Carolina,	Mr. Read	ay	] *

So it was

*Resolved*, That until the adjournment, Congress will meet precisely at nine in the morning, and adjourn at two in the afternoon; meet again at four, and adjourn at eight o'clock in the evening.

A motion was then made by Mr. Gerry, seconded by Mr. Partridge,

That the twenty-second rule of Congress, be suspended until the adjournment on Thursday next.

A motion was made by Mr. Paine, seconded by Mr. De Witt, to postpone that motion, in order to take up the report of the committee, to whom was referred the application of the state of New-York, to Congress, for certain arms furnished by the said state for the use of the United States; and which report is in the words following.

“ It appears to the committee by the resolves of the 14th of April, and by governor Clinton's letter, that a number of muskets, bayonets and accoutrements, the property of the corporation of the city of New-York, were in the commencement of the war, taken to arm the troops raised in the state of New-York; about 1050 of which, it appears by the certificates of major general M'Dougal, have been detained by major general Schuyler; who commanded the northern department, for the use of the continent. It also appears by the governor's letter, that two howitzers lent by the state of New-York, to the United States, have not been returned; and the governor requests, that these muskets, bayonets and accoutrements, with the two howitzers, may be replaced. Your committee are of opinion, that the state of New-York has a just claim on the United States for these muskets, bayonets and accoutrements; but as they presume, that arms and accoutrements have been furnished by other states to arm the troops of the United States, and it cannot be known, whether there is a sufficiency remaining in the public stores, to replace the whole number supplied by the several states, until returns of the arms so furnished, shall have been made; and as in their opinion equal justice should be extended to all, they submit the following resolutions—That the secretary in the war office, and the commissary of military and ordnance stores be, and they are hereby ordered to ascertain and report to Congress, without loss of time, the precise number of muskets, bayonets and accoutrements, which have been furnished by the different states, for the use of the United States, in the course of the late war—That so soon as Congress shall be informed of the number of arms and accoutrements furnished by the several states, to the United States, the arms and accoutrements so furnished, shall be returned in kind and equal value, if a sufficiency for this purpose can be spared from the public stores: and that if a sufficient number cannot be spared, a just proportion of what can be spared, shall be returned to the states respectively, and credit given them for the value of the remainder—That the commanding officer of the troops in the service of the United States be, and he hereby is directed to deliver



over to the order of his excellency the governor of the state of New-York, two howitzers, of equal value with those lent by that state to the United States."

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Howell	ay	} no
Connecticut,	Mr. Sherman	no	
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
	Mr. Stevens	no	
New-Jersey,	Mr. Dick	no	} no
	Mr. Miffin	no	
	Mr. Montgomery	no	
Pennsylvania,	Mr. Hand	ay	} no
	Mr. M'Henry	no	
	Mr. Stone	no	
Maryland,	Mr. Chafe	no	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
Virginia,	Mr. Lee	ay	} no
	Mr. Monroe	no	
	Mr. Williamson	no	
North-Carolina,	Mr. Spaight	no	} no
South-Carolina,	Mr. Read	no	
	Mr. Beresford	no	

So it passed in the negative.

A motion was then made by Mr. Paine, seconded by Mr. De Witt, to postpone the motion before the house, for the purpose of taking into consideration an act of Congress, containing a rule of order, that when a member makes a motion, and Congress judges it out of order, said motion shall not be entered on the journal.

On this the previous question was moved by the States of Virginia and Maryland.

And

And on the question to agree to the previous question, the yeas and nays being required by Mr. Hardy.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	} ay
Maryland,	Mr. M'Henry	ay	
	Mr. Stone	ay	
	Mr. Chase	ay	} ay
Virginia,	Mr. Hardy	ay	
	Mr. Mercer	ay	
	Mr. Lee	no	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it was resolved in the affirmative, and the motion was set aside.

When the main question was about to be put, the state of New York moved in right of the state, that the determination thereof be postponed till to morrow.

A question of order was moved, whether the motion of New York is in order.

And on the question, Is the motion of the state of New-York in order? the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
			Massa

Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	no	
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} divided
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M <sup>r</sup> Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} divided
	Mr. Mercer	no	
	Mr. Lee	ay	
North-Carolina,	Mr. Monroe	ay	} divided
	Mr. Williamson	ay	
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

On the question to agree to the motion, "That the twenty-second rule of Congress be suspended, until the adjournment on Thursday next :"—the yeas and nays were required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	

New-



New-Jersey,	Mr. Stevens	no	} divided
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	no	
Maryland,	Mr. M <sup>r</sup> Henry	no	} no
	Mr. Stone	ay	
	Mr. Chase	no	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	no	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	no	} divided
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Dana, seconded by Mr. Gerry,

That the twenty-second rule of Congress, be suspended until the end of the present session.

A motion was made by Mr. Paine, seconded by Mr. De Witt, to postpone that motion, in order to take up the following.

"I move that the opinion of the house be taken on the following question, viz. Can a member be out of order for making a motion conformable to some rule of the house?"

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	

New

New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	no	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

On the question to agree to the motion before the house,  
the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	no	} divided
	Mr. Stone	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	

South.

South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

That the twenty-second rule of Congress be suspended, until the end of the present session.

A motion was then made by Mr. Monroe, seconded by Mr. Howell, which being amended to read as follows.

That general Knox be instructed to order 350 men properly officered, of the troops now in the service of the United States, to march immediately, to be in readiness to take possession of the western posts, as soon as evacuated by the troops of his Britannic majesty.—That seven hundred men, officers included, to serve for the term of three years, unless sooner discharged, be raised for the relief of those troops, the protection of the western frontiers, and for guarding the public stores; and that the several states furnish their quotas in the following proportions viz.

That general Knox be instructed to make arrangements for the rendezvous of those troops, and report thereon to the Committee of the States.

A motion was made by Mr. Gerry, seconded by Mr. Dana, to amend the motion by adding, that the states of New-Hampshire and Massachusetts, be exonerated by the United States, from the extra pay of such of the soldiers of their respective lines, as may march to the western posts, from the time of their marching, until they shall be discharged; reserving to those states their claims, to be exonerated from the residue of such extra pay, due since the 20 of November last, to such of the troops as have been detained in the continental service from that time, (when the rest of the continental army was disbanded) until the said troops shall be respectively discharged.

A division of the amendment was called for—and on the question to agree to the first part, as far as “reserving,” exclusive, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard.	ay	

Massa-



Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M <sup>c</sup> Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

On the question to agree to the second clause, "reserv-  
ing, &c." to the end, the yeas and nays being required  
by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	

Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} divided
	Mr. Spaight	no	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

A motion was then made by Mr. Paine, seconded by Mr. De Witt, to amend further by inserting, "except Oswego and Niagara," after the words "western posts"—

And on the question to agree to this amendment, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	

South-

South-Carolina, Mr. Read  
Mr. Betesford.

no }  
no } no.

So it passed in the negative.

FOUR O'CLOCK, P. M.

The president being absent, Congress proceeded to the election of a chairman; and the ballots being taken, Mr. Stone was elected.

A letter from the supreme executive council of Pennsylvania was read, in the words following.

In Council, Philadelphia, May 28, 1784.

S I R,

SOME days ago an insult was offered by a Frenchman, to Mr. de Marbois, in the hotel of the minister of France; and afterwards an assault was made upon him by the same person, in a street of this city. The offender has been arrested by our direction, under a warrant of a judge of the supreme court, and is now confined in the common prison, where we have ordered him to be detained. Our respect for Congress induces us to inform them of this affair, and we should have done ourselves the honor of making the communication sooner, but that the criminal was not in confinement till yesterday. We should be much pleased to be favored with the sentiments of Congress upon this business, being extremely desirous that our proceedings may correspond with their judgment, and to testify our determined resolution, with all our powers, to maintain the dignity of the United States,—to preserve the public repose,—to assert the law of nations,—and to manifest our entire regard for the Representatives of the sovereignty of the union. With the most perfect esteem, I have the honor to be, Sir, &c

(Signed) JOHN DICKINSON.

His Excellency the President of Congress:

Whereupon the following was moved by Mr. Hand, seconded by Mr. Montgomery, " That Congress highly approve the determined resolution of the supreme executive council of the state of Pennsylvania, to maintain the



the dignity of the United States,—to preserve the public repose,—to assert the law of nations,—and to manifest their entire regard for the representatives of the sovereignty of the union, expressed by their letter of the 28th instant.

A motion was made by Mr. Gerry, seconded by Mr. Williamson, "That the letter with the motion be committed,"—And on the question to commit, the yeas and nays being required by Mr. Hand.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	no	
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M <sup>r</sup> Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

On motion of Mr. De Witt, seconded by Mr. Gerry, Whereas on the 25th day of January, 1776, Congress did resolve, that a monument be procured at Paris, or any other place in France, with an inscription sacred to the memory of general Montgomery; which, in consequence thereof, was procured and sent to the care of Mr. Hewes, in North-Carolina, and is now supposed to be in the care of his executors.

*Resolved,*

*Resolved*, That the executors of Joseph Hewes, esquire, or the person in whose hands the monument is, be requested to deliver the same to the order of the superintendent of finance, to be transported to the city of New-York, to be erected in such part of the state of New-York as the legislature thereof may judge proper; and that the expence accruing thereon be paid by the United States of America.

The president having requested the decision of Congress on the following question.

Is it expedient that the president should continue in office during the recess of Congress?

On motion of Mr. M<sup>Henry</sup>, seconded by Mr. Hand, *Resolved*, That it is the sense of Congress, that on the adjournment of the present Congress, the duties of their president cease: and that when the United States assemble pursuant to such adjournment, or in consequence of a call from the Committee of the States, his excellency Thomas Mifflin, do resume the chair.

On the report of a committee consisting of Mr. Williamson, Mr. Hand and Mr. Sherman, to whom was referred a letter from the paymaster general.

*Resolved*, That the supreme executive of the state of Virginia, be requested to instruct their auditors, to furnish the officer who is appointed to settle the accounts of the line of the army, with such accounts or extracts from the settlements they have made with the line of that state, as may be necessary to enable him finally to close the accounts of those officers with the United States.

That in settling the accounts of the line of the army, the paymaster general be, and he hereby is authorized to settle with the commissioned officers on their oath, and with noncommissioned officers and privates, on a certificate from the field officer who commanded them, in cases where from capture, or other inevitable disasters, the musters or vouchers have been lost, and where from circumstances he shall be convinced that other satisfactory and more regular evidence is not to be obtained.

That in settling the accounts of the deputy paymasters in the main and southern armies, who were appointed in pursuance of the act of the 8th of April, 1782, they  
be

be allowed at the rate of seventy-five dollars per month, while they were in service, including such advances as have been made under the head of subsistence, or otherwise.

That Hezekiah Whitmore's account be credited for the sum of eight hundred and seventy-three dollars, on his making oath that such a sum of the public money has been lost, as stated in his memorial.

On the report of a grand committee consisting of Mr. Stone, Mr. Blanchard, Mr. Gerry, Mr. Howell, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Hardy, Mr. Williamson and Mr. Read,

*Resolved*, That the several states shall be credited in their accounts with the United States, for the specie value of all sums by them paid to their officers and soldiers in the continental army, due from the United States; provided such payments shall have been notified to the paymaster general, and by him charged to such officers and soldiers, in settling their accounts with the United States; and said states shall be allowed interest on the sums so paid, from the time of payment.

That the superintendant of finance be directed to render to Congress, a particular statement of the articles comprized under the head of contingencies, in his accounts already rendered: and that when the said statement, and also his accounts shewing the expenditure of 2,486,511. 71, of the 8 million of dollars, required by a resolve of the 30th of October, 1781, shall be rendered, the Committee of the States shall transmit a copy of the said statement, and also of such expenditures, specifying contingencies, to any state whose delegates may require the same.

That 190,000 dollars, and 687,828 dollars, contained in the estimate of the 18th April, 1783, being comprized in the requisition of the present year, under the article of interest of the domestic debt, to the 21st of December, 1782. are, when paid agreeably to the said requisition, to be deducted from the estimate first mentioned.

On a report of the same committee, to whom was referred a motion of Mr. Gerry, relative to contractors for ox teams and conductors, in the state of Massachusetts,

*Resolved*,



*Resolved*, That the superintendant of finance be, and he hereby is directed forthwith to give orders for ascertaining the sums due to the contractors in the commonwealth of Massachusetts, for ox, teams, and conductors employed in the campaign of 1781; and to draw for payment thereof on the said state; which is hereby authorized to charge such sums with interest from the time of advancing the same, as part of the states quota which may be made for the year 1785.

W E D N E S D A Y, JUNE 2, 1784.

Congress assembled.—Present eleven states as before. Mr. Stone in the chair.

The report of the committee consisting of Mr. Spaight, Mr. Hardy and Mr. M'Henry, to whom was referred a letter of 23d November from the honorable the minister plenipotentiary of the United Netherlands, together with his note respecting the capture and condemnation of the sloop Chester, being under consideration, and which is in the words following.

“ That they have duly considered the matter to them referred, and are of opinion, that as there was no appeal from the decree of the court of admiralty of the state of South-Carolina, to Congress, which ought to have been made and lodged with the secretary of Congress, within forty days, had there been any intention of questioning the regularity or legality of the condemnation of the said sloop Chester at the time of condemnation, or the court of appeals appointed by Congress, the regular and usual manner of bringing maritime causes before them, Congress cannot at this day take up the cause. Your committee therefore recommend, that the minister of the United Netherlands be informed of the above, and advised to apply to the registry of the court of admiralty of the state of South-Carolina, from which it will appear whether any and what illegal proceedings were made use of to procure the condemnation of the sloop Chester and her cargo: And that if there has been any breach of the laws of nations, or of the instructions issued by Congress to the captains of private ships of war with letters of marque and reprisal, that the bonds given in the office of the secretary,

cretary of the state of South-Carolina, by the parties receiving such commissions, are liable to be put in suit for the benefit and indemnification of the party injured.

A motion was made by Mr. Gerry, seconded by Mr. Dana, That the further consideration thereof be postponed—And on the question for postponing, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
Rhode Island,	Mr. Partridge	ay	} ay
	Mr. Ellery	ay	
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} *
New-Jersey,	Mr. Stevens	ay	
Pennsylvania,	Mr. Beatty	ay	} ay
	Mr. Dick	ay	
	Mr. Montgomery	ay	
Maryland,	Mr. Hand	no	} divided
	Mr. M <sup>c</sup> Henry	ay	
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} divided
	Mr. Mercer	ay	
	Mr. Lee	no	
North-Carolina,	Mr. Monroe	ay	} no
	Mr. Williamson	no	
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

A motion was then made by Mr. Dana, seconded by Mr. Howell,

That the said report be referred to the next meeting of Congress; and that a copy of the note of the minister of the United Netherlands, be transmitted to the supreme executive of the state of South-Carolina; and that they be requested to make enquiry into the truth of the facts stated

rated therein, and to transmit the result thereof to the Congress at their next meeting.

On the question to agree to this, the yeas and nays being required by Mr. Dana.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} *
New-Jersey,	Mr. Stevens	ay	
	Mr. Beatty	no	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M <sup>c</sup> Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Hardy	no	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} divided
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it was resolved in the affirmative.

The motion of Mr. Monroe as amended, was then taken into consideration.

A motion was made by Mr. Williamson, seconded by Mr. Mercer, to postpone the consideration thereof, in order to take up the following.

That the commanding officer be directed to discharge the several officers and soldiers now in the service of the United States, except twenty-five privates to guard the stores at Fort-Pitt, and fifty five to guard the stores at West Point and other magazines, with a proportionate



number of officers; no officer to remain in service above the rank of a captain; those privates to be retained who are enlisted on the best terms; provided Congress before its recess, shall not take other measures respecting the disposition of those troops.

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Williamson.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	no	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	ay	
	Mr. Dick	no	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} divided
	Mr. Mercer	ay	
	Mr. Lee	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Paine, seconded by Mr. De Witt, to postpone the consideration of the subject before the house, in order to take up the report of the committee, on the application of the state of New-York,

York, for Congress to declare the number of troops which are necessary to be kept up by the said state, to garrison the forts necessary for the defence thereof: which report is as follows—That men, including non-commissioned officers, will be requisite to garrison the forts necessary for the defence of the said state; whereupon your committee submit the following resolution—That the state of New-York be permitted to raise men, including noncommissioned officers, for the purpose of garrisoning such posts within the said state, not possessed by the forces of the United States, as the said state judge proper; which troops so to be raised by the state of New-York, shall be discharged whenever the United States in Congress assembled shall so direct.

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	no	}	no
	Mr. Blanchard	no		
Massachusetts,	Mr. Gerry	no	}	no
	Mr. Dana	no		
	Mr. Partridge	no		
Rhode-Island,	Mr. Ellery	no	}	divided
	Mr. Howell	ay		
Connecticut,	Mr. Sherman	no	}	no
	Mr. Wadsworth	no		
New-York,	Mr. De Witt	ay	}	ay
	Mr. Paine	ay		
New-Jersey,	Mr. Stevens	no	}	no
	Mr. Beatty	no		
	Mr. Dick	no		
Pennsylvania,	Mr. Montgomery	no	}	no
	Mr. Hand	no		
Maryland,	Mr. M <sup>r</sup> Henry	no	}	no
	Mr. Stone	no		
	Mr. Chase	no		
Virginia,	Mr. Hardy	no	}	no
	Mr. Mercer	no		
	Mr. Lee	no		
	Mr. Monroe	no		

North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative..

The motion of Mr. Monroe as amended, being as follows—

That general Knox be instructed to order three hundred and fifty men properly officered, of the troops now in the service of the United States, to march immediately to be in readiness to take possession of the western posts, as soon as evacuated by the troops of his Britannic majesty.—That seven hundred men, officers included, to serve for the term of three years, unless sooner discharged, be raised for the relief of those troops, the protection of the western frontiers, and for guarding the public stores; and that the several states furnish their quotas in the following proportions: viz.

That general Knox be instructed to make arrangements for the rendezvous of those troops, and report thereon to the Committee of the States. That the states of New-Hampshire and Massachusetts be exonerated by the United States, from the extra pay of such of the soldiers of their respective lines, as may march to the western posts, from the time of their marching, until they shall be discharged; reserving to those states their claims to be exonerated from the residue of such extra pay, due from the 3d day of November last, to such of their troops as have been detained in the continental service from that time, (when the rest of the continental army was disbanded) until the said troops shall be respectively discharged.

A motion was made by Mr. Gerry, seconded by Mr. Partridge, to amend the paragraph, "That seven hundred men, &c." by inserting immediately before "seven hundred," the words, "It is necessary that;" and by striking out the words, "and that," after "stores;" and in lieu thereof, inserting "by;" and then to strike out the words, "furnish their quotas.—" And on the question, to agree to this amendment, the yeas and nays being required by Mr. Gerry.



New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	no	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M'Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	ay	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamfon	ay	} divided
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So the question was lost.

A motion was then made by Mr. Williamfon, seconded by Mr. Spaight, to amend that paragraph, by inserting the words, "be and are hereby required to," between the words "states" and "furnish."

A motion was made by Mr. Dana, seconded by Mr. Gerry, to postpone that amendment, in order to admit the following, viz. after "and that," to insert "it be recommended to;" and after "states," to insert "to—" And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Dana.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	

Mass.

Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M <sup>c</sup> Henry	no	} no
	Mr. Stone	no	
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Lee	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

The motion of Mr. Williamson was then withdrawn, and a motion was made by Mr. Gerry, seconded by Mr. Dana, to strike out the whole paragraph from, "That seven hundred men," to "proportions," both inclusive : And on the question, Shall that paragraph stand ? the yeas and nays being required by Mr. Gerry.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	

New-

New-York,	Mr. De Witt	ay	} divided
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chafe	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost, and the paragraph was struck out.

On motion of Mr. Beatty, seconded by Mr. Spaight, *Resolved*, That the further consideration of the subject be postponed; and that Congress take into consideration the report of the committee on the application from the state of New-York.

### EODEM DIE, P.M.

Congress resumed the consideration of the motion of Mr. Monroe, as amended—And on the question to agree thereto, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	

New-



New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. M <sup>y</sup> Henry	ne	} no
	Mr. Stone	no	
	Mr. Chase	no	
Virginia,	Mr. Hardy	no	} no
	Mr. Mercer	no	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamfon	ay	} divided
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} divided
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Spaight, seconded by Mr. Read,

That the commanding officer be directed to discharge the troops now in the service of the United States, except twenty-five privates, to guard the stores at Fort-Pitt, and fifty-five to guard the stores at West-Point and other magazines; with a proportionate number of officers; no officer to remain in service above the rank of a captain, and those privates to be retained who are enlisted on the best terms: Provided Congress before its recess, shall not take other measures respecting the disposition of those troops.

A motion was made by Mr. Gerry, seconded by Mr. Partridge, to amend the motion by inserting after "United States" the following words, "after the arrearages of their pay and rations from the 3d of November last shall be paid."

On this the previous question was moved by the state of Maryland, seconded by the state of Virginia; and on the question to agree to the previous question, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	

Massa-

Massachusetts,	Mr. Gerry	<i>no</i>	} <i>no</i>
	Mr. Dana	<i>no</i>	
	Mr. Partridge	<i>no</i>	
Rhode-Island,	Mr. Ellery	<i>no</i>	} <i>no</i>
	Mr. Howell	<i>no</i>	
Connecticut,	Mr. Sherman	<i>ay</i>	} <i>divided</i>
	Mr. Wadsworth	<i>no</i>	
New-York,	Mr. De Witt	<i>ay</i>	} <i>ay</i>
	Mr. Paine	<i>ay</i>	
New-Jersey,	Mr. Stevens	<i>ay</i>	} <i>ay</i>
	Mr. Beatty	<i>ay</i>	
	Mr. Dick	<i>no</i>	
Pennsylvania,	Mr. Montgomery	<i>ay</i>	} <i>divided</i>
	Mr. Hand	<i>no</i>	
Maryland,	Mr. M <sup>r</sup> Henry	<i>ay</i>	} <i>ay</i>
	Mr. Stone	<i>ay</i>	
	Mr. Chase	<i>ay</i>	
Virginia,	Mr. Hardy	<i>ay</i>	} <i>ay</i>
	Mr. Mercer	<i>ay</i>	
	Mr. Monroe	<i>ay</i>	
North-Carolina,	Mr. Williamson	<i>ay</i>	} <i>ay</i>
	Mr. Spaight	<i>ay</i>	
South-Carolina,	Mr. Read	<i>ay</i>	} <i>ay</i>
	Mr. Beresford	<i>ay</i>	

So the question was lost.

A motion was made by Mr. Hand, seconded by Mr. Mercer, to postpone the amendment, in order to take up the following motion, to amend the main question, by adding,

That the arrearages of their pay and rations, after the 3d of November last, be settled in the same manner as the accounts of the troops lately discharged; and that the superintendant of finance take order for furnishing them two month's pay.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	<i>no</i>	} <i>no</i>
	Mr. Blanchard	<i>no</i>	

Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode Island,	Mr. Ellery	no	} divided
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	no	} divided
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} ay
	Mr. Stone	ay	
Virginia,	Mr. Chase	ay	} ay
	Mr. Hardy	ay	
North-Carolina,	Mr. Mercer	ay	} ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Spaight	ay	} ay
	Mr. Read	ay	
	Mr. Beresford	ay	

So it was resolved in the affirmative.

It was then moved by Mr. Sherman, seconded by Mr. Dana, to amend the amendment, by adding, "and that it be recommended to the respective states to which the said troops belong to pay them the remainder that shall be due to them from the 3d of November last, for which said states shall be credited on the requisition of day of

And on the question to agree to the amendment on the amendment, the yeas and nays being required by Mr. Stone

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	

Rhode-



Rhode-Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Montgomery	no	} no
	Mr. Hand	no	
Maryland,	Mr. McHenry	no	} no
	Mr. Stone	no	
Virginia,	Mr. Chase	no	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
	Mr. Lee	no	
	Mr. Monroe	no	
North-Carolina,	Mr. Williamson	no	} no
	Mr. Spaight	no	
South-Carolina,	Mr. Read	no	} no
	Mr. Beresford	no	

So it passed in the negative.

On the question to agree to the amendment, the yeas and nays being required by Mr. Foster.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
Rhode Island,	Mr. Ellery	ay	} ay
	Mr. Howell	ay	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Dick	ay	
Pennsylvania,	Mr. Montgomery	ay	} ay
	Mr. Hand	ay	
Maryland,	Mr. McHenry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	

Vir

Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamson	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	ay	
	Mr. Ellery	ay	
Rhode-Island,	Mr. Howell	ay	} ay
	Mr. Sherman	ay	
Connecticut,	Mr. Wadsworth	ay	} ay
	Mr. De Witt	ay	
New-York,	Mr. Paine	ay	} ay
	Mr. Stevens	ay	
New-Jersey,	Mr. Dick	ay	} ay
	Mr. Montgomery	ay	
Pennsylvania,	Mr. Hand	ay	} ay
	Mr. M <sup>c</sup> Henry	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
	Mr. Hardy	ay	
	Mr. Mercer	ay	
Virginia,	Mr. Lee	ay	} ay
	Mr. Monroe	ay	
	Mr. Williamson	ay	
North-Carolina,	Mr. Spaight	ay	} ay
	Mr. Read	ay	
South-Carolina,	Mr. Beresford	no	} divided

So it was

*Resolved*, That the commanding officer be, and he is hereby directed to discharge the troops now in the service of the United States, except twenty-five privates, to guard the

the stores at Fort-Pitt, and fifty-five to guard the stores at West-Point and other magazines, with a proportionate number of officers; no officer to remain in service above the rank of a captain, and those privates to be retained who were enlisted on the best terms : Provided Congress before its recess, shall not take other measures respecting the disposition of those troops. That the arrearages of their pay and rations after the 3d of November last, be settled in the same manner as the accounts of the troops lately discharged ; and that the superintendant of finance take order for furnishing them two month's pay.

T H U R S D A Y, J U N E 3, 1784.

Congress assembled—Present eleven states as yesterday. The committee consisting of Mr Sherman, Mr. Read, Mr M-Henry, Mr. Monroe and Mr. Dick, to whom was referred a motion of Mr. Read, having reported, and the report being taken into consideration, being as follows.

Whereas a body of troops to consist of seven hundred noncommissioned officers and privates, properly officered, are immediately and indispensibly necessary for securing and protecting the northwestern frontiers of the United States, and their Indian friends and allies, and for garrisoning the posts soon to be evacuated by the troops of his Britannic majesty—*Resolved*, That it be, and it is hereby recommended to the states hereafter named, and as most conveniently situated, to furnish forthwith from their militia, seven hundred men, to serve for twelve months, unless sooner discharged, in the following proportions, viz. Connecticut 165, New-York 165, New-Jersey, 110, Pennsylvania 260, making in the whole 700. *Resolved*, That the secretary at war take order for forming the said troops when assembled, into one regiment, to consist of eight companies of infantry, and two of artillery, arming and equipping them in a soldier like manner : and that he be authorized to direct their destination and operations, subject to the order of Congress, and of the Committee of the States in the recess of Congress. *Resolved*, That the pay, subsistence and rations of the officers and men shall be the same as has been heretofore allowed



allowed to the troops of the United States, and that each officer and soldier shall receive one month's pay after they are embodied, before their march. *Resolved*, That it be recommended to the several states, to employ such officers of their late lines of the continental army, as may be willing to enter into the present service. *Resolved*, That the staff and commissioned officers of the said troops consist of the following, and be furnished by the several states hereinafter mentioned; that is to say, one lieutenant-colonel commandant from Pennsylvania, two majors, one from Connecticut, and one from New-York, each major to command a company; eight captains from the several states furnishing the troops in the nearest proportion to the number of the men furnished; ten lieutenants, one to act as adjutant; ten ensigns, one chaplain, one surgeon, four mates. *Resolved*, That the secretary at war give the necessary order for the inferior arrangements and organization of the said troops, and make the apportionment of the officers to be furnished by the several states, not herein particularly directed. *Resolved*, That the said troops when embodied, on their march, on duty, and in garrison, shall be liable to all the rules and regulations formed for the government of the late army of the United States. *Resolved*, That the superintendent of the finances of the United States take order for furnishing on the warrant of the secretary at war, the sums requisite for carrying the foregoing resolutions into effect.

A motion was made by Mr. Paine, seconded by Mr. De Witt, to postpone the consideration thereof, in order to take up the report of the committee, on the representation from the delegates of New-York, and which is as follows.—

“ The committee consisting of Mr. Read, Mr. Sherman, Mr. Ellery, Mr. Hardy and Mr. Partridge, to whom was referred the representation of the delegates from the state of New-York, respecting the controversy between the said state and the people inhabiting the territory called the New-Hampshire Grants, made in pursuance of express instructions from the legislature of the said state, urging the necessity of an immediate decision of the said controversy, with sundry affidavits and other papers accompanying the same, having  
care-

carefully examined the papers and the files and proceeding of Congress respecting the said controversy, and maturely considered the case, report thereon as follows— That by an act of Congress of the 7th of August 1781, reciting that the states of New-Hampshire and New-York had submitted to Congress the decision of the disputes between them, and the people inhabiting the New-Hampshire Grants, on the west side of Connecticut river, called the state of Vermont, concerning their respective claims of jurisdiction over the said territory, and had been heard thereon, and that the people aforesaid did claim and exercise the powers of a sovereign independent state, and had requested to be admitted into the federal union of these States. It was among other things resolved, “ That a committee of five be appointed to confer with such person or persons as may be appointed by the people residing on the New-Hampshire Grants, on the west side of Connecticut river, or by their representative body, respecting their claim to be an independent state, and on what terms it may be proper to admit them into the federal union of these states, in case the United States in Congress assembled shall determine to recognize their independence, and thereof make report. And it is hereby recommended to the people of the territory aforesaid, or their representative body, to appoint an agent or agents to repair immediately to Philadelphia, with full powers and instructions to confer with the said committee on the matters aforesaid, and on behalf of the said people to agree upon, and ratify terms and articles of union and confederation with the United States of America, in case they shall be admitted into the union; and the said committee are hereby instructed to give notice to the agents of the states of New Hampshire and New-York, to be present at the conference aforesaid.”

And on the 8th day of the said August, a committee was accordingly appointed, who afterwards had a conference with Jonas Fay, Ira Allen and Bezaleel Woodward, agents appointed by the authority of the people inhabiting the said territory called the New-Hampshire Grants, to repair to Congress, and to propose and receive from them. terms of a union with the United States.

That

That the committee appointed as aforesaid, having made their report, Congress on the 20th day of August, 1781, came to the following resolution—"It being the fixed purpose of Congress to adhere to the guarantee to the states of New-Hampshire and New-York, contained in the resolutions of the 7<sup>th</sup> instant: *Resolved*, That it be an indispensable preliminary to the recognition of the independence of the people inhabiting the territory called Vermont, and their admission into the federal union, that they explicitly relinquish all demands of lands or jurisdiction on the east side of the west bank of Connecticut river, and on the west side of a line beginning at the northwest corner of the state of Massachusetts, thence running twenty miles east of Hudson's river, so far as the said river runs northeasterly in its general course; then by the west bounds of the townships granted by the late government of New-Hampshire, to the river running from South Bay to lake Champlain; thence along the said river to lake Champlain; thence along the waters of lake Champlain, to the latitude of forty-five degrees north, excepting a neck of land between Missiskoy-Bay and the waters of lake Champlain." Which resolution was agreed to by nine states. That on the 19th of October 1781, the assembly of Vermont taking into their consideration the aforesaid act of Congress, *Resolved*, That they could not comply with it, without destroying the harmony then subsisting in that state, and a violation of a solemn compact entered into by articles of union, &c. as appears on the journal of Congress of the 4th of April, 1782.

That afterwards on the 22d day of February, 1782, the people inhabiting the said territory called Vermont, by their representatives in general assembly, in compliance with the aforesaid act of Congress, then remaining unaltered and unrepealed, came to the following resolutions, to wit, "*Resolved*, That the west bank of Connecticut river, and a line beginning at the northwest corner of the commonwealth of Massachusetts, from thence northward twenty miles east of Hudson's river, as specified in the resolutions of Congress in August last, shall be considered as the east and west boundaries of this state; and that this assem-



sembly do hereby relinquish all claims and demands to and jurisdiction in and over any and every district of territory without said boundary lines." And afterwards, in the said month of February, 1782, the said general assembly appointed Moses Robinson, Paul Spooner, Isaac Tichenor and Jonas Fay, esquires, agents, with plenary powers on behalf of the people of the said district, to negotiate and agree on terms for their admission into confederation with these United States; and upon such admission to represent the said state of Vermont in Congress: And it being now represented by the state of New-York, that great danger and distress will arise from a further delay of the decision of the said controversy; and the people of Vermont having complied as aforesaid with the terms prescribed by Congress, as a preliminary to the recognition of their independence, your committee submit the following resolves.

*Resolved*, That the district of territory lying on the west side of Connecticut river, called Vermont, within the limits and boundaries described in the act of Congress of the 20th August, 1781, and the people inhabiting the same, be and they are hereby recognized and declared to be a free, sovereign and independent state, by the name of the state of Vermont. That the said state of Vermont, being within the limits of the United States, shall be considered as a part of the confederacy, on the same principles as the new states, who shall have established permanent governments agreeably to the act of Congress of the 23d day of April last, until it shall accede to the articles of confederation, and be admitted into the federal union of these states. *Resolved*, That Congress adhere to the guarantee to the states of New-Hampshire and New-York, agreeably to the resolutions of the 7th and 20th day of August, 1781; and if it shall appear on running the line between the states of New-York and Vermont, that the latter hath made any encroachments on the territory of the former, the same shall be immediately removed. Your committee further report, with respect to the matters alledged by the delegates of New-York, concerning the sufferings of individuals by banishment and confiscation of property, and the disorders and violences

that have happened in consequence of the opposite and interfering jurisdictions exercised by the state of New-York and the government of Vermont, over the same persons within the said district. That the several letters and papers from the governor of New-York and the people of Vermont, relative to those matters, have been heretofore committed, and no report hath been made thereon;—your committee are therefore of opinion, that if Congress shall judge it expedient to take any further order respecting those matters, it will be proper again to commit those papers.”

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	ay	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} divided
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} no
	Mr. Montgomery	no	
Maryland,	Mr. Hand	ay	} no
	Mr. M <sup>r</sup> Henry	no	
	Mr. Stone	no	
Virginia,	Mr. Chase	no	} no
	Mr. Hardy	no	
	Mr. Lee	no	
North-Carolina,	Mr. Monroe	no	} no
	Mr. Williamson	no	
South-Carolina,	Mr. Spaight	no	} *
	Mr. Read	no	

So it passed in the negative.

Congress

Congress proceeded in the consideration of the report before the house, and a motion was made by Mr. Beatty, seconded by Mr. Dick, to strike out the words and figures, "New-Jersey 110"—And on the question, Shall those words and figures stand? the yeas and nays being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Miffin	ay	} ay
	Mr. Montgomery	ay	
	Mr. Hand	ay	
Maryland,	Mr. M <sup>c</sup> Henry	ay	} ay
	Mr. Stone	ay	
	Mr. Chase	ay	
Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Monroe	ay	} ay
	Mr. Williamson	ay	
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

A motion was then made by Mr. Beatty, seconded by Mr. Stevens, to amend the report by adding the following,

"That where the laws of any state will not admit of their militia being called out on the terms prescribed in the foregoing resolutions, such state may be permitted to engage



engage the quota of men assigned it; in such manner as the legislature thereof shall direct." On this the previous question was moved by Massachusetts and Maryland.

And on the question to agree to the previous question, the yeas and nays being required by Mr. Beatty.

New-Hampshire,	Mr. Foster	no	} divided
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	ay	
	Mr. Partridge	no	
Rhode Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} ay
	Mr. Wadsworth	ay	
New-York,	Mr. De Witt	ay	} ay
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Beatty	no	
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	no	} ay
	Mr. Montgomery	ay	
Maryland,	Mr. Hand	ay	} ay
	Mr. M'Henry	ay	
	Mr. Stone	ay	
Virginia,	Mr. Chase	ay	} ay
	Mr. Hardy	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Monroe	ay	} ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Spaight	ay	} ay
	Mr. Read	ay	
	Mr. Beresford	ay	

So it was resolved in the affirmative, and the motion was set aside.

The report being amended to read as follows.

Whereas a body of troops to consist of seven hundred noncommissioned officers and privates, properly officered, are immediately and indispensibly necessary for taking possession of the western posts as soon as evacuated by the troops of his Britannic majesty, for the protection of the northwestern frontiers, and for guarding the public stores,

*Resolved,*

*Resolved*, That it be, and it is hereby recommended to the States hereafter named, as most conveniently situated, to furnish forthwith from their militia, seven hundred men, to serve for twelve months, unless sooner discharged, in the following proportions, viz.

Connecticut 165

New-York 165

New Jersey 110

Pennsylvania 260

————— 700

*Resolved*, That the secretary in the war office, take order for forming the said troops when assembled, into one regiment, to consist of eight companies of infantry, and two of artillery, arming and equipping them in a soldier like manner ; and that he be authorized to direct their destination and operations, subject to the order of Congress, and of the Committee of the States, in the recess of Congress.

*Resolved*, That the pay, subsistence and rations of the officers and men, shall be the same as has been heretofore allowed to the troops of the United States ; and that each officer and soldier shall receive one month's pay after they are embodied, before their march.

*Resolved*, That the staff and commissioned officers of the said troops, consist of the following, and be furnished by the several States hereinafter mentioned ; that is to say,  
One lieutenant-colonel commandant from Pennsylvania ;

Two majors, one from Connecticut, and one from New-York, each major to command a company ;

Eight captains from the several States furnishing the troops in the nearest proportion to the number of the men furnished ;

Ten lieutenants, one to act as adjutant ;

Ten ensigns ;

One regimental chaplain ;

One surgeon ;

Four mates.

*Resolved*, That the secretary in the war office give the necessary order for the inferior arrangements and organization of the said troops, and make the apportionment of

of the officers to be furnished by the several States, not herein particularly directed.

*Resolved*, That the said troops when embodied, on their march, on duty, and in garrison shall be liable to all the rules and regulations formed for the government of the late army of the United States, or such rules and regulations as Congress or a Committee of the States may form.

*Resolved*, That the superintendant of the finances of the United States, take order for furnishing on the warrant of the secretary in the war office, the sums requisite for carrying the foregoing resolutions into effect.

On the question to agree to the report as amended, the yeas and nays being required by Mr. Paine.

New-Hampshire,	Mr. Foster	ay	}	ay
	Mr. Blanchard	ay		
Massachusetts,	Mr. Gerry	ay	}	ay
	Mr. Dana	ay		
	Mr. Partridge	ay	}	ay
Rhode-Island,	Mr. Ellery	ay		
	Mr. Howell	ay	}	ay
Connecticut,	Mr. Sherman	ay		
	Mr. Wadsworth	ay	}	ay
New-York,	Mr. De Witt	no		
	Mr. Paine	no	}	no
New-Jersey,	Mr. Stevens	no		
	Mr. Beatty	no	}	no
	Mr. Dick	no		
Pennsylvania,	Mr. Mifflin	a	}	ay
	Mr. Montgomery	ay		
	Mr. Hand	ay	}	ay
Maryland,	Mr. M'Henry	ay		
	Mr. Stone	ay	}	ay
	Mr. Chase	ay		
Virginia,	Mr. Hardy	ay	}	ay
	Mr. Mercer	ay		
	Mr. Monroe	ay	}	ay
North-Carolina,	Mr. Williamson	ay		
	Mr. Spaight	ay	}	ay
South-Carolina,	Mr. Read	ay		
	Mr. Beresford	ay	}	ay

So it was resolved in the affirmative.



On the report of a committee consisting of Mr. Spaight, Mr. Gerry, Mr. Lee, Mr. Beatty and Mr. Sherman, to whom was referred a report of a committee, on a report of the superintendant of finance, dated the 5th of November 1783, in answer to questions proposed by the commissioner for settling the accounts of the state of Pennsylvania with the United States: and also a report on the petition of James Smith, praying for a sum of money to be advanced to him on account.

*Resolved*, That all monies or articles supplied by the United States to any particular state, shall be charged to such state at their just value in specie, with an interest of six per cent per annum, from the date of such supplies, until the final adjustment and payment of the account; but the former requisitions of Congress, for supplies from the states, not being considered as their real quotas of the common expence, are not to be charged.

That all monies or continental bills of credit furnished by any particular state to the United States, to be re-issued, and all other articles supplied to, or charges made against the United States by any particular state, and allowed in the adjustment of its account, shall be credited to such state at the specie value, with an interest of six per cent. per annum from the date of such supplies, until the final settlement of the account.

That if bills of credit advanced to any state or person to be expended for the use of the United States, shall have depreciated before the same were so applied, the receiver shall not be charged with the depreciation, if satisfactory evidence be given to the commissioner by such receiver, that such bills had not been applied to any other use, and were applied to the purpose designed, as soon as occasion required; otherwise such receiver will be chargeable with such bills at their value when received, or at such lesser value as the commissioner on consideration of all circumstances attending the case shall judge equitable.

That in cases where no written vouchers are or can be produced, and the commissioner shall receive satisfactory evidence that such vouchers have been destroyed or lost, or that from the circumstances of the case they have never been obtained, he may receive such other evidence

as

as shall be satisfactory to him, and the best that the circumstances of the case will admit; and at his discretion may examine the claimant or claimants under oath, respecting any accounts exhibited to him for settlement, whether accompanied with written vouchers or not, when the other evidence is not sufficient to satisfy him as to the truth or justice of the charge; and in case he shall doubt the truth or justice of any charge, or the authenticity of any voucher, it shall be his duty to enquire into the matter by the best evidence that can be obtained, and to allow such claims only as shall be supported by satisfactory evidence.

That the specie value of supplies furnished, or services rendered by individuals on unliquidated accounts to the United States, before the 26th of August 1780, shall be ascertained so far as may be, by the rule prescribed by a resolution of Congress of that date: and in all cases wherein that rule cannot be applied, and no other is given by Congress, the just value in specie must be ascertained by the judgment of the commissioner, on the best evidence that can be had.

That the accounts for supplies be settled by the commissioner in the state where the same were furnished, except that in cases where the same person may have an account for supplies furnished in several states; the superintendent of finance may, if he shall think proper, order the whole account to be settled by one commissioner, or by the comptroller.

That it shall be the duty of the commissioner to attend in different counties or districts, when in his opinion it will save expence, and expedite the settlement of accounts, or when thereto requested by the legislature or the supreme executive of the state for which he is appointed.

That the several commissioners be instructed to proceed in the business of settling accounts with all possible dispatch.

That the commissioners make reasonable allowance for the use of stores and other buildings hired for the use of the United States, by persons having authority to contract for the same; but that rent be not allowed for  
buildings

buildings which being abandoned by the owners were occupied by the troops of the United States.

That such compensation as the commissioner may think reasonable, be made for wood, forage or other property of individuals, taken by order of any proper officer, or applied to, or used for the benefit of the army of the United States, upon producing to him satisfactory evidence thereof by the testimony of one or more disinterested witnesses.

That according to the laws and usages of nations, a state is not obliged to make compensation for damages done to its citizens by an enemy, or wantonly and unauthorized by its own troops; yet humanity requires that some relief should be granted to persons who by such losses are reduced to indigence and want: and as the circumstances of such sufferers are best known to the states to which they belong, it is the opinion of the committee, that it be referred to the several states, (at their own expence) to grant such relief to their citizens, who have been injured as aforesaid, as they may think requisite: and if it shall hereafter appear reasonable, that the United States should make any allowance to any particular states who may be burthened much beyond others, that the allowance ought to be determined by Congress; but that no allowance be made by the commissioners for settling accounts, for any charges of that kind against the United States.

That the superintendant of finance be authorized to give such further instructions to the commissioners for facilitating the settlement of the accounts of individuals with the United States, and issuing certificates on interest for what may be found due to them, as may be necessary, and not repugnant to the resolutions of Congress.

That new certificates on interest shall be issued in exchange for those that may have heretofore been issued by any commissary or quartermaster general, or deputy commissary or deputy quartermaster general, or other officer who had a right to give such certificates for supplies or services rendered to the United States, previous to, or in pursuance of the resolution of Congress of the 26th of August 1780, to the amount of such former certificates



in specie; and specie certificates issued to any person in his own name, for services or supplies which he has furnished for the United States, shall be received of him in payment of any demand which the United States have against him, upon the settlement of his account.

That an interest of six per cent per annum shall be allowed to all creditors of the United States, for supplies furnished, or services done, from the time that the payment became due.

That the superintendent of finance give order for the speedy settlement of the accounts of James Smith by the proper commissioner, and take order for payment of what may be found due to him, or such part thereof as the state of the finances will admit, without giving him any undue preference to other creditors.

That the commissioner for settling the marine accounts, be directed to proceed to Boston, to adjust those of the navy board, and all other marine accounts of the United States in the eastern department.

That the paymaster general, in settling the old accounts of the line of the army, be instructed to have recourse to the principles of the above resolutions, so far as they may apply.

*P. M. FOUR O'CLOCK.*

On the report of a committee consisting of Mr. Williamson Mr. Hardy and Mr. Hand, to whom was referred a letter from the governor of the state of Massachusetts, with its enclosures, and a motion of the delegates of Massachusetts, Congress came to the following resolution.

Whereas it is represented that early in February 1776, the accounts of the state of Massachusetts against the United States, were forwarded to Congress, and by them referred to a committee, who examined and approved the same, except the charges for the Boston poor and sea coast guards; and whereas the committee found the accounts were supported by proper vouchers, so far as they respected the expenditure of the money in making purchases; and that the final settlement of the accounts were only deferred till similar or competent proofs should be obtained

obtained of the issues or expenditures of the articles thus purchased for the public use : And whereas it is further represented, that the vouchers respecting the purchases, were put up in boxes, and lodged in the care of the officer of the treasury of the United States, and that during the removals to which they have been exposed, the boxes have been opened, and some of the papers lost ; and as it is not reasonable that the state of Massachusetts should suffer by the loss of those vouchers which it has once produced,

*Resolved*, That the commissioner for liquidating and settling the accounts of the state of Massachusetts with the United States be, and he is hereby instructed to pass the accounts which have been rendered as aforesaid, to far as such accounts respect the purchases, though they should in some instances be defective ; and that in examining the accounts of issues, he admit such evidence as may appear reasonable and satisfactory, respect being had to the general disorder and want of system, about the beginning of the late war.

On the report of the superintendant of finance, to whom was referred the memorial of lieutenant Andrew Lytle,

*Resolved*, That lieutenant Andrew Lytle, be allowed to debit the United States, with the sum of seven hundred and fifty one dollars, and that he receive credit for the same, in the settlement of his accounts.

Congress proceeded to the election of commissioners, to form a board of treasury, and the ballots being taken, the following gentlemen were elected.

Mr. Daniel of St. Thomas Jenifer, having been previously nominated by Mr. Williamson ;

Mr. Oliver Ellsworth, having been previously nominated by Mr. Wadsworth ; and

Mr. William Denning, having been previously nominated by Mr. De Witt.

On the report of a committee consisting of Mr. Stowe, Mr. Read, Mr. Monroe, Mr. Williamson and Mr. Sherman, to whom was referred a petition from the legislature of the commonwealth of Massachusetts, praying that a federal court may be appointed by Congress, to decide

a dispute between the said commonwealth and the state of New York,

*Resolved*, That the first Monday in December next, be assigned for the appearance of the said states of Massachusetts and New-York, by their lawful agents, at the place in which Congress shall then be sitting.

*Resolved*, That the form of the notice be as follows, to be transmitted by the secretary, agreeably to the articles of confederation.

By the United States in Congress assembled, in the city of Annapolis, on the third day of June, in the year of our Lord one thousand seven hundred and eighty-four, and in the eighth year of the independence of the United States of America,

To the legislative authority of the state of New-York :

IT is hereby made known, that pursuant to the ninth of the articles of confederation and perpetual union, the legislature of the commonwealth of Massachusetts, have presented a petition to Congress in the words following—

“ To the United States in Congress assembled, the petition of the legislature of the commonwealth of Massachusetts sheweth, That whereas James the first, late king of Great-Britain, by his letters patent, bearing date at Westminster, the third day of November, in the eighteenth year of his reign, granted unto the council established at Plymouth, in the county of Devon, and kingdom of Great-Britain, commonly called the council for planting, ruling and ordering and governing of New England in America, all that part of America, lying and being in breadth from forty to forty eight degrees of northerly latitude. and of length of and within all the breadth aforesaid, throughout the main lands, from sea to sea, to hold the same to themselves, their successors and assigns forever : And whereas the said council established at Plymouth, by their deed indented under their seal, dated the nineteenth day of March, in the third year of the reign of Charles the first, late king of Great Britain, did bargain, sell, enfeoff. alien and confirm, unto sir Henry Roswell and his associates, and to their heirs and assigns,



all that part of New England in America, which lieth and extendeth between a great river called Merrimac, and a certain other river there called Charles river, being the bottom of a bay there called Massachusetts-Bay, and also all those lands lying within three English miles to the southward of the southermost part of the said bay, and extending thence northward, in latitude to the northward of every part of the said river Merrimac, and in breadth of latitude aforesaid, extending throughout all the main land, in longitude westwardly to the Southern Ocean. And the said legislature in their claim herein described, do aver, that the point or place situate three miles south of the bay called Massachusetts-Bay, is a point or place situate in forty-two degrees of northern latitude, two minutes north; and that the place, point or boundary aforesaid, of three miles to the northward of every part of the river Merrimac, is a place or point situate in forty-four degrees northern latitude, fifteen minutes north; and that by the grant aforesaid, the said sir Henry Roswell and his associates, became seized of all the lands before described and contained in the grant aforesaid, of the said council established at Plimouth; and that the same grant was confirmed to the said Henry Roswell and his associates, by the said king Charles, by his letters patent dated in the fourth year of his reign; and that the said sir Henry Roswell and his associates, were, immediately upon making the grant aforesaid by the said council, in the actual seizen and possession of all the lands aforesaid, and for many years held the same, under the name and title of the governor and company of Massachusetts-Bay in New-England: And that such proceedings and possessions have been done and had respecting the territory aforesaid, granted to the said sir Henry Roswell and his associates, and such subsequent grants have been made of the same, that all the said territory is now the just and proper right of the commonwealth aforesaid. And all this the said legislature are ready to verify.

And whereas the state of New-York have set up a claim to some part of the land beforementioned, and it being highly necessary to have the same claims brought to an immediate decision, they do therefore in behalf of the said

said commonwealth, most solemnly request the United States of America in Congress assembled, that commissioners may be appointed for enquiring into and determining upon the claim aforesaid of the said legislature, and that such other proceedings respecting the premises may be had, as are by the federal government of the said United States in such cases made and provided."

And that the first Monday in December next, is assigned for the appearance of the said States of Massachusetts and New-York, by their lawful agents, at the place in which Congress shall then sit, to proceed in the premises as by the said articles of confederation and perpetual union is directed.

By order of Congress,

CHARLES THOMSON, Sec'y.

It was then moved that the journal of this day's proceedings be read.

A motion was made by Mr. Read, seconded by Mr. Beresford, to postpone the reading of the journal, in order to take into consideration the report of the committee on Indian affairs in the southern department: And on the question to agree to this motion, the yeas and nays, being required by Mr. Read.

New-Hampshire,	Mr. Foster	no	} divided.
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	no	} no.
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Howell	no	} "
Connecticut,	Mr. Sherman	no	
	Mr. Wadsworth	no	} no
New-York,	Mr. De Witt	no	
	Mr. Paine	no	} no
New-Jersey,	Mr. Stevens	no	
	Mr. Dick	no	} no
Pennsylvania,	Mr. Mifflin	ay	
	Mr. Hand	ay	} ay
Maryland,	Mr. M <sup>r</sup> Henry	ay	
	Mr. Stone	ay	} ay
	Mr. Chase	no	
			Virginia,

Virginia,	Mr. Hardy	ay	} ay
	Mr. Mercer	no	
	Mr. Lee	ay	
North-Carolina,	Mr. Williamton	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So the question was lost.

A motion was then made by Mr. Spaight, seconded by Mr. Read, in order to take up the following.

“That the act of Congress of the 26th April, authorizing the president to adjourn Congress on this day, be repealed; and that this Congress will continue to sit till the business before them be acted on.”

And on the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Spaight.

New-Hampshire,	Mr. Foster	no	} no
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	no	} no
	Mr. Dana	no	
	Mr. Partridge	no	
Rhode-Island,	Mr. Ellery	no	} no
	Mr. Howell	no	
Connecticut,	Mr. Sherman	no	} no
	Mr. Wadsworth	no	
New-York,	Mr. De Witt	no	} no
	Mr. Paine	no	
New-Jersey,	Mr. Stevens	no	} no
	Mr. Dick	no	
Pennsylvania,	Mr. Mifflin	<i>excused from voting.</i>	
Maryland,	Mr. Hand	no	} no
	Mr. M <sup>r</sup> Henry	no	
	Mr. Stone	ay	
Virginia,	Mr. Chase	no	} no
	Mr. Hardy	no	
	Mr. Mercer	no	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Williamson	ay	
	Mr. Spaight	ay	

Sau

South-



South Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it passed in the negative.

The journal up to this period was then read.

A motion was made by Mr. Lee, seconded by Mr. Beresford, in the words following.

Whereas it is necessary to expedite the holding treaties with the Indian nations, &c. as entered on the journal of the 18th May last.

An amendment was moved by Mr. M'Henry, seconded by Mr. Mercer, by inserting, " of the militia directed to be raised by the act of this day," immediately after the words, " three hundred men : " And on the question to agree to this amendment, the yeas and nays being required by Mr. Lee.

New-Hampshire,	Mr. Foster	ay	} ay
	Mr. Blanchard	ay	
Massachusetts,	Mr. Gerry	ay	} ay
	Mr. Dana	no	
	Mr. Partridge	ay	
Rhode-Island,	Mr. Ellery	ay	} divided
	Mr. Howell	no	
Connecticut,	Mr. Sherman	ay	} *
New-York,	Mr. De Witt	ay	
	Mr. Paine	ay	
New-Jersey,	Mr. Stevens	ay	} ay
	Mr. Beatty	ay	
	Mr. Dick	ay	
Pennsylvania,	Mr. Mifflin	ay	} ay
	Mr. Hand	ay	
	Mr. M'Henry	ay	
Maryland,	Mr. Stone	ay	} ay
	Mr. Chase	ay	
	Mr. Hardy	ay	
Virginia,	Mr. Mercer	ay	} divided
	Mr. Lee	no	
	Mr. Monroe	no	
	Mr. Williamson	ay	
North-Carolina,	Mr. Spaight	ay	} ay
South-Carolina,	Mr. Keas	no	
	Mr. Beresford	no	

So it was resolved in the affirmative.

The

The motion being amended was agreed to as follows.

Whereas it is necessary to expedite the holding treaties with the Indian nations, which it appears cannot be done but under the protection of an armed force; therefore

*Resolved*, That the secretary in the war-office be, and he is hereby directed to order three hundred men, of the militia directed to be raised by the act of this day, to be in readiness to march when and to what place or places the commissioners for negotiating with the Indians, or any two of them shall direct: and that the commanding officer of the said troops, give such protection to the commissioners, as they or any two of them shall require; and that the said secretary give order to the different keepers of the public stores, to furnish to the order of the commissioners, or any two of them, such tents, marquees and other articles as the said commissioners shall think proper.

*Resolved*, That the superintendant of finance take order for purchasing and transmitting the articles necessary for the Indian treaties, according to a list hereunto annexed, to such places as the commissioners appointed to negotiate with the Indians, or any two of them shall direct. That he furnish such additional articles, not exceeding the sum of four thousand dollars, as the said commissioners shall order; and that he contract with such persons as he may think proper, to furnish sixty thousand rations for the Indian treaties, at such places as the commissioners, or any two of them shall direct, together with such things as shall be necessary for the expences of the said commissioners during the negotiation.

*Resolved*, That the commissioners for negotiating with the Indians, or any two of them, being a majority of those present, be empowered to do the business of the commission, and to appoint a secretary, messengers, interpreters, storekeepers, and such artificers as they may find necessary, and to agree with them for their pay, for which they shall draw warrants on the treasury.

On motion of Mr. Gerry, seconded by

*Resolved*, That the thanks of Congress be given to his excellency Thomas Mifflin, for his able and faithful dis-

charge of the duties of president, whilst acting in that important station.

A motion was made by Mr Dana, seconded by Mr. Hand,

That the Committee of the States appointed by Congress, to sit during their recess, be, and they are hereby directed, to hold their session at Trenton, in the state of New-Jersey, and to open the same on the twentieth day of June instant, and the several states are requested to keep up their representation therein.

A motion was made by Mr. Read, seconded by Mr. Beresford, to postpone the consideration of that motion, in order to take up the following

“ That notwithstanding the act of the 26th April last, Congress will continue to sit and transact the business of the United States, until Tuesday the 8th of June instant, on which day the president shall adjourn Congress, to meet at Trenton on the 30th day of October next, pursuant to the said act of the 26th of April abovementioned.”

And on the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	ay	} <i>divided</i>
	Mr. Blanchard	no	
Massachusetts,	Mr. Gerry	ay	} <i>ay</i>
	Mr. Dana	ay	
	Mr. Partridge	ay	} <i>ay</i>
Rhode-Island,	Mr. Ellery	ay	
	Mr. Howell	ay	} <i>ay</i>
Connecticut,	Mr. Sherman	ay	
	Mr. Wadsworth	ay	} <i>no</i>
New-York,	Mr. De Witt	no	
	Mr. Paine	no	} <i>ay</i>
New-Jersey,	Mr. Stevens	ay	
	Mr. Beatty	ay	} <i>ay</i>
	Mr. Dick	ay	
Pennsylvania,	Mr. Missin	ay	} <i>ay</i>
	Mr. Hand	ay	
Maryland,	Mr. M'Henry	ay	} <i>ay</i>
	Mr. Stone	ay	
	Mr. Chase	ay	} <i>ay</i>
			Virginia,



Virginia,	Mr. Hardy	ay	} ay
	Mr Mercer	ay	
	Mr. Lee	ay	
	Mr. Monroe	ay	
North-Carolina,	Mr. Williamfon	ay	} ay
	Mr. Spaight	ay	
South-Carolina,	Mr. Read	ay	} ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

After debate, a division was called for by Mr. Mercer, so that a question be taken on the first part, as far as the words, " eighth of June instant ;" and the second question on the latter part.

Upon this the motion was withdrawn, to make way for a motion of Mr. Gerry, to this effect, That on Tuesday next, Congress should stand adjourned to meet at Trenton on the 30th of October.

An adjournment was then called for, which being carried,

The president by virtue of the powers, and in pursuance of the direction of the act of the 26th April, adjourned Congress to meet at Trenton on the 30th day of October next.



# I N D E X

T O

V O L U M E IX.

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# JOURNAL

OF THE

COMMITTEE OF THE STATES:

CONTAINING

THE PROCEEDINGS

FROM

The First Friday in June, 1784

TO

The Second Friday in August, 1784.

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PUBLISHED BY ORDER OF CONGRESS.

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PRINTED BY JOHN DUNLAP.

Printer to the United States in  
Congress Assembled.

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M,DCC,LXXXIV.





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# JOURNAL

OF THE

COMMITTEE OF THE STATES.

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FRIDAY, JUNE 4, 1784.

**T**HE Committee of the States assembled—Present Mr. Blanchard, Mr. Dana, Mr. Ellery, Mr. Sherman, Mr. De Witt, Mr. Dick, Mr. Hand, Mr. Chase, Mr. Hardy, Mr. Spaight and Mr. Read.

The committee proceeded to the election of a chairman, and the ballots being taken,

The honorable Mr. Hardy was elected.

The act of Congress designating the powers of the Committee, and making the appointment, was read as follows:—

By the UNITED STATES in CONGRESS  
assembled.

MAY 29, 1784.

*Resolved*, That the Committee of the States, which shall be appointed pursuant to the ninth of the articles of confederation and perpetual union, to sit in the recess of Congress, for transacting the business of the United States, shall possess all the powers which may be exercised by seven States in Congress assembled, except those of sending ambassadors, ministers, envoys, residents, consuls  
or

or agents, to foreign countries or courts—establishing rules for deciding what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—establishing courts for receiving and determining finally appeals in cases of capture—constituting courts for deciding disputes and differences arising between two or more states—fixing the standard of weights and measures for the United States—changing the rate of postage on the papers passing through the post-offices established by Congress—of repealing or contravening any ordinance or act passed by Congress—or appointing civil or military officers, unless to supply the places of such within the United States as the Committee may suspend for misconduct, or to fill up vacancies which may hereafter happen, by death, resignation, or other ways, within the said states; provided such appointments shall not continue more than one month after the assembling of Congress in November next, unless confirmed by them.

That no question, except for adjourning from day to day, shall be determined without the concurrence of nine states.

That a chairman, to be chosen by the Committee, shall preside.

That the officers of Congress, when required, shall attend on the said Committee.

That the Committee shall keep a journal of their proceedings to be laid before Congress; and that in these journals, which shall be published monthly, and transmitted to the executives of the several states, shall be entered the yeas and nays of the members, when any one of them shall have desired it before the question be put.

That if it shall happen that any of these United States shall not be represented in Congress at the time of electing the Committee of the States, or if no delegate shall be elected by Congress for any particular state, such state or states may be represented therein, by any one of the delegates of such state or states, and the members of the delegation of any state may relieve each other, in such manner as may be agreed on by themselves, or directed by their state,



## COMMITTEE OF THE STATES. §

In case any unexpected and very important business occurs, in which the Committee may think the happiness or peace of the United States is involved, and to which they are not competent, it shall be their duty to appoint a day for the meeting of Congress, prior to that to which they stand adjourned, and to give notice of the same, to the supreme executives of the several states, that the delegates may have notice to attend.

That the Committee shall have power to receive communications from foreign ministers, and lay them before the Congress when they shall convene ; but shall transact no business with them, unless authorized thereto by particular acts of Congress.

*Resolved*, That the Committee of the States be, and they are hereby authorized and instructed, to prepare and report to Congress, an ordinance for making the necessary arrangements of the treasury, and for more particularly defining the powers of the board of treasury ; and also to revise the institutions of the office for foreign affairs and of the war office, and to report such alterations as they may judge necessary.

Congress proceeded to appoint " *a Committee of the States ;*" and the ballots being taken, the following members were elected.

For New-Hampshire,	Mr. Blanchard.
Massachusetts,	Mr. Dana.
Rhode Island,	Mr. Eliery.
Connecticut,	Mr. Sherman.
New-York,	Mr. De Witt.
New-Jersey,	Mr. Dick.
Pennsylvania,	Mr. Hand.
Maryland,	Mr. Chase.
Virginia,	Mr. Hardy.
North-Carolina,	Mr. Spaight.
South Carolina,	Mr. Read.

On the report of a committee consisting of Mr. Dana, Mr. Stone and Mr. Read, to whom was referred a letter of 28th May, from the supreme executive council of Pennsylvania, and a motion of the delegates for that state :

*Resolved*,

*Resolved*, That the supreme executive council of Pennsylvania, be acquainted, that Congress having been notified by the minister of his most Christian majesty, of the violation of the laws of nations committed by a subject of his said majesty, in assaulting M. De Marbois, consul general and secretary to the said legation, have judged it proper to request the executives of the several states in the union, to issue their proclamation, offering a reward to any person who shall discover the offender, so that he might be apprehended and brought to condign punishment. That by these proceedings, which have already been forwarded to them, the president and council of the state of Pennsylvania will find, that the measures pursued by them, perfectly coincide with those recommended by Congress. That the exertions of the president and supreme executive council of the state of Pennsylvania, to maintain the dignity of the United States, to preserve the public repose, and to assert the law of nations, meet the fullest approbation of the Committee of the States; and that it is with singular pleasure they receive this fresh instance of the entire regard of the president and council of the state of Pennsylvania for the representatives of the sovereignty of this union.

On motion of Mr. Dana, seconded by Mr. Spaight,

Whereas Congress do now stand adjourned to the 30th of October next, then to meet at Trenton, in New-Jersey, and as public letters and dispatches may continue to be addressed to the president of Congress, as usual, during their session, which may occasion an unnecessary delay before they will arrive to the Committee of the States:

*Resolved*, That the postmaster general be directed to instruct his deputies in the several post-offices, to forward all such letters and papers which may come in to their offices addressed as aforesaid, to the chairman of the Committee of the States, at the place where they may hold their session.

The secretary having informed the Committee, that it is necessary for him to return to Philadelphia,

*Ordered*, That he have leave, until he shall be required to attend, and that in his absence, one of the clerks attend the Committee of the States, and make the entries.

On

## COMMITTEE OF THE STATES. 7

On motion of Mr. Spaight, seconded by Mr. Read,  
*Resolved*, That the chairman write to the executives of the States of Delaware and Georgia, requesting them respectively to send forward one of their delegates to attend in the Committee of the States.

On the report of a committee, consisting of Mr. Lee, Mr. Stone and Mr. Dana, to whom was referred a letter of the sieur Caron de Beaumarchais, of the 14th April, 1783, and of his agent Le Vaigneur:

*Resolved*, That the sieur Le Vaigneur be informed, that Mr. Silas Deane was not authorized to settle the accounts of the sieur Caron de Beaumarchais, stiling himself the representative of Roderique Hortalez and company; and that Congress seeing no reason for alering their instruction to their consul in France, the sieur de Beaumarchais must therefore settle his accounts with him.

*Resolved*, That no arrangements can be taken for paying any part of the demand of the said Caron de Beaumarchais, till his accounts are settled by the consul of the United States in France.

*Resolved*, That the superintendant of finance transmit to Mr. Barclay, consul in France, a copy of the refusal of Mr. Carabasse, agent for the sieur de Beaumarchais, stiling himself representative of Roderique Hortalez and company, to deliver to the agent of the United States, certain goods charged to the said States, by the said Beaumarchais.

On motion of Mr. Read, seconded by Mr. Spaight.

*Resolved*, That for the benefit of the health of the members, and to give an opportunity for some respite after the long session and weighty business lately before Congress, the Committee of the States do now adjourn to Saturday 26th day of June instant.

S A T U R D A Y, JUNE 26, 1784.

The following members of the Committee of the States met according to adjournment, viz.

For New-Hampshire, Mr. Blanchard  
Massachusetts, Mr. Dana

Pennsylvania,



Pennsylvania,	Mr. Hand
Virginia,	Mr. Hardy
South-Carolina,	Mr. Read

But there not being a sufficient number to proceed to business, the Committee of the States is adjourned to Monday next, at ten o'clock A. M.

MONDAY, JUNE 28, 1784.

The following members of the Committee of the States met, viz.

For New Hampshire,	Mr. Blanchard
Massachusetts,	Mr. Dana
Pennsylvania,	Mr. Hand
Maryland,	Mr. Chase
Virginia,	Mr. Hardy
South-Carolina,	Mr. Read

But there not being a sufficient number to proceed to business, the Committee of the States is adjourned till ten o'clock to morrow.

TUESDAY, JUNE 29, 1784.

The following members of the Committee of the States met, viz.

For New-Hampshire,	Mr. Blanchard
Massachusetts,	Mr. Dana
Pennsylvania,	Mr. Hand
Virginia,	Mr. Hardy
South-Carolina,	Mr. Read

But there not being a sufficient number to proceed to business, the Committee of the States is adjourned till ten o'clock to morrow.

WEDNESDAY, JUNE 30, 1784.

Mr. William Houstoun, a delegate from the state of Georgia, attended and produced credentials.

The following members of the Committee of the States met, viz.

For

# COMMITTEE OF THE STATES. 9

For New Hampshire,	Mr. Blanchard
Massachusetts,	Mr. Dana
Pennsylvania,	Mr. Hand
Maryland,	Mr. Chase
Virginia,	Mr. Hardy
North Carolina,	Mr. Spaight
South Carolina,	Mr. Read
Georgia,	Mr. Houstoun

But there not being a sufficient number to proceed to business, the Committee of the States is adjourned till ten o'clock to morrow.

## THURSDAY, JULY 1, 1784.

The same members attended as yesterday, but there not being a sufficient number to proceed to business, the Committee of the States is adjourned till ten o'clock to morrow.

## FRIDAY, JULY 2, 1784.

The same members attended as yesterday, but there not being a sufficient number to proceed to business, the Committee of the States is adjourned till ten o'clock to morrow.

## SATURDAY, JULY 3, 1784.

The same members attended as yesterday, but there not being a sufficient number to proceed to business, the Committee of the States is adjourned to Monday, at ten o'clock A. M.

## MONDAY, JULY 5, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

The credentia's produced by Mr. Houstoun, the 30th June, under the great seal of the State of Georgia, were

B

read;

read; whereby it appears, that on the 9th of January and 23d of February last, William Houston, Edward Telfair, Joseph Habersheim, William Few, William Gibbons, and general Lachlin M'Intosh, esquires, were elected to represent that State in Congress.

T U E S D A Y, JULY 6, 1784.

Eight States only attending, viz. New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, and South-Carolina, the Committee of the States is adjourned till ten o'clock to-morrow.

W E D N E S D A Y, JULY 7, 1784.

Eight States only attending, viz. New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and Georgia, the Committee of the States is adjourned till ten o'clock to-morrow.

T H U R S D A Y, JULY 8, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

The committee consisting of Mr. Hand, Mr. Read, Mr. Dana, Mr. Chase and Mr. Houston, appointed to prepare and lay before the Committee of the States, a draft of such rules as may be necessary for the government of, and more conveniently conducting business in the Committee of the States, reported rules, which being amended, were agreed to, and are as follows.

1. As soon as the chairman assumes the chair, the members shall take their seats.
2. The minutes of the preceding day shall then be read; and after that, the public letters, petitions and memorials, if any have been received or presented, in the order mentioned.
3. Every letter, petition, or memorial read, on which



no order is moved, shall of course be considered as ordered to lie on the table, and may be taken up at any future time.

4. After the public dispatches, &c. the reports of committees, which may have been delivered by them to the secretary, shall for the information of the Committee be read, in the order in which they were delivered; and if it is judged proper, a time be assigned for considering them: But no report shall be taken into consideration the day on which it is first read, without general consent.

5. After the public letters, &c. are read, and orders given concerning them, the reports of the board of treasury, and of the board of war, if any, shall be taken into consideration.

6. When a report which has been read and lies for consideration, is called for, it shall immediately be taken up. If two or more are called for, the titles of the several reports shall be read, and then the chairman shall put the question in the order they have been called for, upon which there shall be no debate; and the vote of the Committee of the States shall determine which is to be taken up.

7. When a report is brought forward for consideration, it shall first be read over, and then debated by paragraphs, and each paragraph shall be subject to amendments. If it relates only to one subject, being in the nature of an ordinance, it shall be subject to such additions as may be judged proper to render it complete; and then it shall be read over as it stands amended, and a question taken upon the whole. But if it comprehends different subjects independent one of another, in the form of distinct acts or resolutions, a question shall be taken on each.

8. When any ordinance is introduced by report or otherwise, it shall be read a first time for the information of the Committee, without debate. The chairman shall then put the following question, "Shall this ordinance be read a second time?" If it passes in the affirmative, then a time shall be appointed for that purpose, when it shall be read and debated by paragraphs; and when gone through

through, the question shall be, " Shall this ordinance be read a third time ?" If agreed to, and a time appointed, it shall be accordingly read by paragraphs, and if necessary, debated ; and when gone through, the question shall be, " Shall this ordinance pass ?" If the vote is in the affirmative, a fair copy shall then be made out, signed by the chairman, and attested by the secretary in the Committee of the States, and recorded in the secretary's office.

9. Any member by instructions from his state, or claiming it in right of his state, may bring any matter before the Committee of the States for their consideration.

10. When a motion is made and seconded, except where a second is unnecessary from the preceding rule, it shall be repeated by the chairman, or being in writing, it shall be delivered to the chairman, and read aloud at the table before it shall be debated.

11. Every motion shall be reduced to writing, if required by the chairman or any member.

12. After a motion is repeated by the chairman, or read at the table, it shall then be in the possession of the Committee ; but may at any time before decision, be withdrawn.

13. No member shall speak twice in any debate, until every member who chuses, shall have spoken once on the same subject.

14. When a question is before the Committee and under debate, no motion shall be received unless for amending it, for the previous question, or to postpone the consideration of the main question, or to commit it.

15. No new motion or proposition shall be admitted under color of amendment, as a substitute for the question or proposition under debate, until it is postponed or disagreed to.

16. The previous question (which is always to be understood in this sense, that the main question be not now put) shall only be admitted when in the judgment of two members at least, the subject moved is in its nature, or from the circumstances of time or place, improper to be debated or decided, and shall therefore preclude all amendments.

amendments and further debates on the subject, until it is decided,

17. A motion for commitment shall also have preference, and preclude all amendments and debates on the subject, until it shall be decided.

18. On motions for the previous question, or for postponing, no member shall speak more than once.

19. The members shall ballot for committees; but if upon counting the ballots, the number required shall not have been elected, the chairman shall name the members who have been ballotted for, and the Committee of the States shall by a vote or votes determine the committee, unless a new ballot be called for.

20. If a question under debate contains several points, any member may have it divided.

21. When a question is about to be put, it shall be in the power of any one of the members to postpone the determination thereof until the next day; and in such case, unless it shall be further postponed by order of the Committee, the question shall the next day, immediately after reading the public dispatches, &c. and before the Committee go upon other business, be put without any debate, provided there be a sufficient number of members present to determine it. If that should not be the case, it shall be put without debate, as soon as a sufficient number shall have assembled.

22. If any member chuses to have the yeas and nays taken upon any question, he shall move for the same, previous to the chairman's putting the question; and in such case, every member present shall openly and without debate, declare by *ay* or *no*, his assent or dissent to the question.

23. Every member when he chuses to speak, shall rise and address the chairman. When two members chance to rise at the same time, the chairman shall name the person who is to speak first. Every member, both in debate, and while the Committee of the States are assembled, shall conduct himself with the utmost decency and decorum. If any member shall transgress, the chairman shall call to order. In case the disorder be continued or repeated, the chairman may name the person transgressing. Any member may call to order.



24. When a member is called to order, he shall immediately sit down. If he has been named as a transgressor, his conduct shall be enquired into, and he shall be liable to a censure.

25. When a question of order is moved, the chairman if he is in doubt, may call for the judgment of the Committee; otherwise he shall in the first instance give a decision, and an appeal shall lie to the Committee; but there shall be no debate on questions of order, except that a member called to order for irregular or unbecoming conduct, or for improper expressions, may be allowed to explain.

26. A motion to adjourn may be made at any time, and shall always be in order, and the question thereon shall always be put without any debate.

27. On every Monday, after reading and taking order on the public dispatches, a committee of three shall be appointed, who shall every morning during the week, report to the Committee of the States, the orders necessary to be made on such dispatches as may be received during the adjournment or sitting of the Committee of the States, upon which no orders shall have been made.

28. Whensoever a motion is made for striking out one or more words, in order that something may be inserted instead thereof, the debate shall turn upon the propriety of the proposed insertion, and the question shall be, "Shall the proposed amendment be made?" Whensoever a motion is made for striking out one or more words, but no proposition is made to insert any thing else, the question shall be upon the words proposed to be struck out, in the following manner, "Shall these words stand?"

On the report of a committee consisting of Mr. Read, Mr. Dana and Mr. Chase, to whom was referred an application of Christopher Champlin, stating that a ship called the Hydra, will shortly sail from Newport, in Rhode-Island, for Bengal, in India, and from thence to the port of Canton, in China, under the command of John Clark, and requesting sea letters for said Clark, and William Green, supercargo :

*Resolved*, That sea letters be granted for the said  
John

John Clark and William Green, in the form following.

Most serene serene, most puissant puissant, high, illustrious, noble, honorable, venerable, wise and prudent emperors, kings, republics, princes, dukes, earls, barons, lords, burgomasters, councillors, as also judges, officers, justiciaries, and regents of all the good cities and places, whether ecclesiastical or secular, who shall see these presents or hear them read :

We the United States of America, in a Committee of the States assembled, make known, That John Clark, captain of the ship called the Hydra, and William Green, the supercargo on board her, are citizens of the United States of America, and that the ship which the said John Clark commands, belongs to citizens of the said United States, and as we wish to see the said John Clark and William Green, prosper in their lawful affairs, our prayer is to all the beforementioned, and to each of them separately, where the said John Clark and William Green shall arrive with their vessel and cargo, that they may please to receive them with goodness, and treat them in a becoming manner, permitting them upon the usual tolls and expences in passing and repassing, to pass, navigate and frequent their ports, passes and territories, to the end to transact their business where and in what manner they shall judge proper, whereof we shall be willingly indebted.

In testimony whereof, &c.

F R I D A Y, JULY 9, 1784.

The Committee of the States assembled—Present nine States as yesterday.

The committee consisting of Mr. Read, Mr. Dana and Mr. Chase, to whom were referred two letters from Mr. Adams minister plenipotentiary of the United States of America at the Hague, of 27th March and 10th April 1784, with sundry papers enclosed, reported the draught of a letter to said minister, which was agreed to.

S A T U R D A Y, JULY 10, 1784.

The Committee of the States assembled—Present nine States as yesterday.

On

On the report of a committee consisting of Mr. Hand, Mr. Chase and Mr. Read, to whom was referred a letter from George R. Clarke, of the 26th April 1784 :

*Resolved*, That brigadier general Clarke be informed, in answer to his said letter, that Congress appointed him a commissioner for treating with the Indian nations, from a thorough persuasion of his abilities to discharge that trust. That his appointment is in full force, his name being included in the general commission for treating with the Indians, but that his acceptance must be altogether optional with him. That in any casual conference he may have with the western Indians or any of them, the Committee of the States can only authorize him to acquaint them, that it is the earnest desire of the United States in Congress assembled, to be at peace with them—that they have for that purpose appointed commissioners to treat with them—that those commissioners have plenary powers—that they are directed to fix on the most convenient times and places for assembling the several nations and tribes of Indians, of which they the said Indians will, with all convenient dispatch be informed. And that they may rest assured, the United States will not, in the mean time, undertake any thing to their disadvantage, unless provoked thereto by hostilities on their part.

*Resolved*, That copies of general Clarke's letter and the answer thereto, be transmitted by the secretary to the commissioners for treating with the Indians.

On a report of the same committee, to whom was referred a letter of the 15th June, from Ebenezer Hazard, postmaster general :

*Resolved*, That Ebenezer Hazard, postmaster general, be informed, in answer to his letter of the 15th day of June last, that the Committee of the States are not authorized to order a discontinuance of the suit commenced by his direction against Gershom Johnson, for a violation of the fifth section of the ordinance for regulating the post-office.

On the report of a committee consisting of Mr. Williamson, Mr. Dana and Mr. Sherman, to whom was referred a petition of Robert Shewell, with sundry papers enclosed :

*Resolved*,



*Resolved*, That copies of the papers relating to the brig *L'Amiable Elizabeth*, a French vessel that was deserted by her crew at sea, and was boarded and taken up by citizens of the United States, on the 5th April 1783, and carried into St. Johns, in Newfoundland, where she was seized by a public officer, and her cargo disposed of, be sent to our ministers for negotiating treaties of commerce with foreign powers; and that they be instructed to require of the British court, that the full value of the said brig and her cargo, be restored for the benefit of Robert Shewell, by whose order she was taken up at sea, and other just claimants, according to the laws and usage of civilized, commercial and friendly nations.

M O N D A Y, JULY 12, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

The committee consisting of Mr. Dana, Mr. Hand and Mr. Spaight, appointed to take into consideration an advertisement published in "The Boston gazette, and the country journal," of the 31st of May last, signed St. John, agent for the French packet boats, and dated Boston, May 1784—report,

That the said advertisement is an open avowal of an intention to contravene an ordinance of Congress for regulating the postoffice of these United States; and that the measures therein mentioned, and said to have been taken by the said St John, are a flagrant violation of the same ordinance, as well on his part as on the part of others said to be concerned with him; will greatly injure the revenue of the postoffice, and if not prevented, may defeat that useful institution. That therefore the postmaster general be furnished with a copy of the advertisement referred to, and ordered immediately to make enquiry into this matter, and if he should find that the said ordinance hath been violated in consequence of the above-mentioned advertisement, that he cause the offenders to be prosecuted according to law.

*Resolved*.

*Resolved*, That the Committee of the States agree to the said report.

T U E S D A Y, JULY 13, 1784.

Eight States only attending, viz. Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South Carolina, and Georgia, the Committee of the States is adjourned till ten o'clock to morrow.

W E D N E S D A Y, JULY 14, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

Mr. Spaight a delegate from the state of North-Carolina, laid before the Committee of the States, seven acts of the legislature of that state, certified under the great seal, the titles of which are as follows.

“ An act vesting a power in the United States in Congress assembled, to levy a duty on foreign merchandise, for the use of the United States.”

“ An act for levying a tax for the purposes therein mentioned. and for investing the United States in Congress assembled, with a power to collect the same.”

“ An act ceding to the Congress of the United States, certain western lands therein described, and authorizing the delegates from this state in Congress, to execute a deed or deeds for the same.”

“ An act for authorizing the United States in Congress assembled, to regulate the trade of this state with foreign nations.”

“ An act vesting certain powers therein mentioned, in the United States in Congress assembled.”

“ An act directing the appointment of delegates, agreeable to the recommendation of Congress.”

“ An act to empower the delegates of this state in Congress, to assent to a repeal of part of the eighth article of confederation and perpetual union, between the thirteen states of America, and to subscribe and ratify the alteration proposed in the recommendation of Congress of the  
eighteenth

eighteenth April, one thousand seven hundred and eighty-three, in place thereof, as part of the said instrument of union.

T H U R S D A Y, JULY 15, 1784.

The Committee of the States assembled—Present nine States as yesterday.

Mr. Read, a delegate from the state of South Carolina, laid before the Committee of the States, two printed acts of the general assembly of that state; one entitled, “An act for investing the United States in Congress assembled, with a power to levy for the use of the United States, certain duties upon goods imported into this state, from any foreign port, island or plantation.” And the other entitled, “An act to authorise the United States in Congress assembled, to regulate trade from the British West-Indies.” As also a resolution of the said general assembly, which is in the words following.

“MARCH 21, 1784.

“*Resolved*, That the legislature will confirm the engagement the delegates of this state in Congress entered into, that the controversy arising on commodore Gillon’s contract with lieutenant colonel Laurens, be settled by arbitration: and that whenever the superintendant of finance shall determine that the United States have cause of action against commodore Gillon, in behalf of this state, and acquaint the governor of this state with such determination, that the governor, with the advice of the privy council, do appoint arbitrators in behalf of this state, to meet the arbitrators appointed by the superintendant of finance in this state; and that this state will abide by the award of the said arbitrators, and save harmless commodore Gillon from any damages which may accrue to him in consequence of his contract with colonel Laurens, in behalf of this state.

F R I D A Y, JULY 16, 1784.

The Committee of the States assembled—Present nine States as yesterday. Mr.



Mr. Hardy, a delegate from the state of Virginia, laid before the Committee of the States, copies of two acts of the general assembly of that state: one entitled, "An act authorizing the delegates representing this state in Congress, to subscribe and ratify an alteration of the eighth of the articles of confederation and perpetual union, between the thirteen states of America." And the other "An act to invest the United States in Congress assembled, with additional powers for a limited time" Also resolutions of the said general assembly, which are as follows.

"VIRGINIA, In the House of DELEGATES,  
Wednesday the 19th of May, 1784.

"*Resolved*, That the alteration of the eighth of the articles of confederation and perpetual union, proposed by the United States in Congress assembled, on the 18th of April, 1783, ought to be acceded to by this state.

"Whereas considerable time may elapse before the common debts of the confederacy can be apportioned by the rule proposed to be substituted, in place of the eighth article of the confederation, in case such rule shall be established, or by the rule prescribed in the said article, in case the change shall be disagreed to, and before the accounts subsisting between the United States and the individual states can be finally liquidated.

"*Resolved*, That for the intermediate preservation of justice, and the national character, all requisitions which may from time to time be made by the United States in Congress assembled, for the purpose of discharging the national debts, incurred during the war, or defraying the ordinary civil expences of the federal government, including a provision for the support of the present marine and military establishments, directed by Congress, and which may be apportioned on the states, either by the rule which has heretofore prevailed, or by such other temporary rule as may be judged most equitable, ought to be complied with.

"*Resolved*, That the delegates representing this state in Congress, ought to be instructed to urge in Congress, all measures necessary for accelerating a fair and final settlement

# COMMITTEE OF THE STATES. 21

tlement of the accounts subsisting between the United States and individual states; and that whenever such settlement shall have been completed, a payment of the balance appearing therefrom to be due, ought to be enforced, if necessary, by such distress on the property of the defaulting states, or of their citizens, as by the United States in Congress assembled may be deemed adequate and most eligible.

*Resolved*, That in case such final settlement be obstructed by a failure of the proposition for changing the eighth article of confederation, and the refusal or unreasonable delay in the states to furnish the materials requisite for carrying the said article into effect, the United States in Congress assembled will be justified in proceeding to estimate the relative ability of the several states, according to the best lights of which they can avail themselves, to apportion the public debts by the standard which may thence result, to close the account between the United States and individual states, and to enforce in manner aforesaid, the payment of all arrears which may be found due.

Teste,

JOHN BECKLEY, C. H. D.

June 8, 1784, agreed to  
by the senate,

WILLIAM DREW, C. S."

SATURDAY, JULY 17, 1784.

The Committee of the States assembled—Present nine states as yesterday.

A motion was made by Mr. Read, seconded by Mr. Chase, to adjourn, on which the yeas and nays being required by Mr. Dana.

New-Hampshire,	Mr. Blanchard	no
Massachusetts,	Mr. Dana	no
New-Jersey,	Mr. Dick	ay
Pennsylvania,	Mr. Hand	no
Maryland,	Mr. Chase	ay
Virginia,	Mr. Hardy	ay
North-Carolina,	Mr. Spaight	ay
South Carolina,	Mr. Read	ay
Georgia,	Mr. Houstoun	ay

So

So it passed in the affirmative, and the Committee was adjourned to Monday ten o'clock.

MONDAY, JULY 19, 1784.

Only eight states attending, viz. New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and South Carolina, the Committee of the States is adjourned till ten o'clock to morrow.

TUESDAY, JULY 20, 1784.

Only eight states attending, viz. New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, North-Carolina, South-Carolina, and Georgia, the Committee of the States is adjourned till ten o'clock to morrow.

WEDNESDAY, JULY 21, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.

On motion of Mr. Hardy, seconded by Mr. Read,

*Resolved*, That the secretary in the war office be, and he hereby is directed to transmit without delay to the governor of Virginia, authenticated copies of the muster rolls from the first of January 1777, to December 1781, of the line of the said state on continental establishment—the two state regiments whilst in continental service—first regiment of artillery, and the first and third regiments of light dragoons, and the returns of such parts of Lee's and Armand's legions, Hazen's regiment, and other continental corps as have been credited to the state of Virginia.

On the report of a committee consisting of Mr. Hand, Mr. Beatty and Mr. Williamson, to whom was referred a letter from Joseph Carleton, secretary in the war office, dated 23d May 1784, with general returns of ordnance, military, quarter masters and hospital stores.

*Resolved*, That the secretary in the war-office take order for



for the disposing of at public auction, for public securities for liquidated debts, all the medicinal stores at Albany; and all those at Philadelphia, except the chirurgical instruments, and so much of the furniture and medicines as will complete three regimental medicine chests, to be put up by Mr. Andrew Craige apothecary.

*Ordered*, That the remainder of the report be committed.

On the report of a committee, consisting of Mr. Williamson, Mr. Hand and Mr. Sherman, to whom was referred a letter from the superintendant of finance, enclosing a letter from Moses Hazen, esquire, late brigadier general, containing some complaints and remarks on the conduct of the paymaster general as commissioner for settling accounts, together with a letter from John Pierce, esquire, paymaster general, explaining the particulars of his conduct in the cases mentioned.

*Resolved*, That the Committee of the States fully approve of the attention and fidelity of John Pierce esquire commissioner for settling accounts with the line of the army, in refusing to admit any charges against the United States which are not founded on particular resolves of Congress, and supported by vouchers or by other good and satisfactory evidence.

On the report of a committee consisting of Mr. Williamson, Mr. Lee and Mr. Gerry, to whom was referred a letter of the 15th February from the superintendant of finance, enclosing a letter from the honorable B. Huntington, respecting military stores which have been neglected and are perishing in some part of Connecticut, in consequence of the death of the officer to whose care they had been committed:

*Resolved*, That the secretary in the war office be, and he hereby is directed to cause an account to be laid before Congress or the Committee of the States as soon as may be, of the cloathing and military stores that are in Hartford and other parts of Connecticut referred to in a letter from B. Huntington, esquire, of the 4th of February last to the superintendant of finance.

*Ordered*, That the remainder of the report be committed.

THURSDAY, JULY 22, 1784.

The Committee of the States assembled—Present as yesterday.

The committee consisting of Mr. Dana, Mr. Read and Hand, to whom was referred the letter of governor Mairin, to Mr. Beresford, as chairman of the committee on Indian affairs, dated Hillsborough, 4th June, 1784, reported the draught of a letter to said governor, which was agreed to.

On the report of a committee consisting of Mr. Read, Mr. Williamson and Mr. Stone, to whom was referred the letter signed T. Gilfillan, dated London, the 19th February, 1784, with the inspection roll of negroes, taken on board certain vessels at anchor near Staten-Island, on the 30th day of November, 1783, signed T. Gilfillan and Wm. Armstrong:

*Resolved*, That a copy of the said letter and roll be transmitted to the ministers plenipotentiary of the United States, for negotiating treaties with foreign powers to be made use of in any negotiations they may have with the court of Great Britain, agreeable to the instructions heretofore transmitted to them.

On the report of a committee consisting of Mr. Williamson, Mr. Stone and Mr. Sherman, to whom was referred a letter of the minister of France, dated the 6th May last, to the president of Congress:

Whereas it hath been represented to Congress by the minister of France, that his most Christian majesty not having appointed a consul to reside in Charleston, it is his will that the sieur de la Foret, vice consul at Savannah, should, until such appointment is made, discharge that office in Charleston: and that he the said minister has accordingly, together with the sieur de Marbois, consul general of France, appointed the said sieur de la Foret, to be vice consul at Charleston, and requesting that he may be recognized as such.

*Resolved*, That it be recommended to the supreme executive of the state of South Carolina, to receive the sieur de la Foret as vice consul in the port of Charleston, and to grant him their exequatur accordingly.

On

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On the report of the same committee, to whom was referred a letter of the 6th May last, from the superintendant of finance enclosing letters from the quartermaster general and from the commissary of military stores, respecting a quantity of powder that is in the public magazines at West-Point.

*Resolved*, That the superintendant of finance give directions for selling such damaged powder as may be in the public magazines at West Point : and that the commissary of military stores, as soon as such sales shall be made, report to Congress or the Committee of the States, the quantity and condition of the powder remaining at that post.

F R I D A Y, JULY 23, 1784.

The Committee of the States assembled—Present as yesterday.

The Committee of the States is adjourned till to morrow ten o'clock.

S A T U R D A Y, JULY 24, 1784.

The Committee of the States assembled—Present nine States as yesterday.

The Committee of the States is adjourned to Monday ten o'clock.

M O N D A Y, JULY 26, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.

On motion, *Ordered*, That an exemplification of the commission granted by the United States in Congress assembled, to the commissioners for negotiating with the Indians, and of the resolution empowering any two of them being a majority of those present to do the business of the commission, be made out and delivered to each of the said commissioners, under the seal of the United States.

D

On



On the report of a committee consisting of Mr. Hand, Mr. Spaight and Mr. Houston, to whom was referred part of a report of Mr. Williamson, Mr. Lee and Mr. Gerry, on letters from the superintendant of finance and the honorable B. Huntington:

Whereas there is reason to apprehend there are in different parts of the United States, articles of quartermasters, and military stores, cloathing, &c. the property of the United States, which have accidentally fallen into the hands of private citizens, or remained in the possession of persons formerly, but not at present in office, of which the heads of the several staff departments have no account.

*Resolved*, That it be, and hereby is recommended to the executives of the several States, to call on the citizens of their respective States, to make returns forthwith of every species of public property which may be in their possession. And the said executives are requested to forward to Congress, or the Committee of the States, a general return of such articles, the property of the United States, as they find to be in the possession of their citizens, or any of them, in which shall be specified the names and places of residence of the persons in whose possession they are.

T U E S D A Y, J U L Y 27, 1784.

The Committee of the States assembled—Present nine States as yesterday.

A motion was made by Mr. Hand, in right of the state of Pennsylvania, in the words following.

Whereas the United States in Congress assembled, did on the 23d day of January last, cause the following notice to be given to the claimants of the private right of soil, within the territory westward of the river Delaware, formerly in controversy between the state of Connecticut, and that of Pennsylvania, viz.

“ To the claimants of the private right of soil within the territory westward of the Delaware, heretofore in controversy between the states of Connecticut and Pennsylvania, and adjudged by the sentence of a court constituted

tuted and appointed, agreeably to the ninth of the articles of confederation and perpetual union, to be within the jurisdiction of the state of Pennsylvania; it is hereby made known,

That sundry individuals claiming private right of soil under the state of Connecticut, within the said territory, have made application to Congress, stating that they have been disturbed in their said right of soil, by others claiming under the state of Pennsylvania; and praying for the institution of a court, for determining the said private right of soil, in pursuance of the ninth article of confederation: and that the fourth Monday in June next, is assigned for the appearance of the parties, by their lawful agents, before Congress or a Committee of the States, wherefore, they shall be then setting, to proceed in the premises as by the confederation is directed.

By order of Congress,  
*Charles Thomson*, Secretary."

And whereas an agent for one of the parties only attended on the said fourth Monday in June, agreeably to the said notice, viz. William Bradford, junior, as agent on the part of the claimants under grants from the state of Pennsylvania. Therefore in justice to the said claimants, and to the end it may be known, that the institution of the said court, has not been prevented by neglect or non attendance on their part, *Resolved*, That the letter from William Bradford, junior, to the chairman of the Committee of the States, dated Annapolis, the 28th June 1784, informing, that being appointed an agent and counsellor in the controversy concerning the private right of soil, to lands within the state of Pennsylvania, and in support of the grants held under that commonwealth, he was then ready to appear, agreeably to the requisition of the United States in Congress assembled, expressed in their act of the 23d day of January last, be entered on the journal of the Committee of the States."

Which being under consideration,

A motion was made by Mr. Dana, seconded by Mr. Blanchard, to amend the motion by inserting between the words,

words, "Pennsylvania." "Therefore," the following, "at which time there was not a quorum of the Committee of the States, nor before the 5th day of July instant, since when no agent has appeared before the Committee from the state of Pennsylvania, nor at any time on the part of the claimants under the state of Connecticut."

And on the question to agree to the amendment, the yeas and nays being required by Mr. Dana,

New-Hampshire,	Mr. Blanchard	ay
Massachusetts,	Mr. Dana	ay
New-Jersey,	Mr. Dick	no
Pennsylvania,	Mr. Hand	no
Maryland,	Mr. Chase	ay
Virginia,	Mr. Hardy	no
North-Carolina,	Mr. Spaight	no
South Carolina,	Mr. Read	no
Georgia,	Mr. Houstoun	no

So the question was lost.

On the question to agree to the motion, the yeas and nays were required by Mr. Dana.

New Hampshire,	Mr. Blanchard	no
Massachusetts,	Mr. Dana	no
New Jersey,	Mr. Dick	no
Pennsylvania,	Mr. Hand	ay
Maryland,	Mr. Chase	no
Virginia,	Mr. Hardy	ay
North-Carolina,	Mr. Spaight	ay
South Carolina,	Mr. Read	ay
Georgia.	Mr. Houstoun	ay

So the question was lost.

The committee consisting of Mr. Dana, Mr. Spaight and Mr. Read, to whom was referred the report of a committee of Congress, upon their order of the 17th June 1783, "That a committee be appointed to consider what further measures may be necessary to compel persons who have received public monies to account," report, that upon inspecting the journals of Congress they find, that Congress did on the 27th February, 1782 resolve, "that



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"that it be recommended to the several legislatures of these United States, to make provision by law for the speedy and effectual recovery from individuals, of debts due and effects belonging to the United States." That on searching the files in the office of the secretary of Congress, your committee do not find that any of the legislatures of the respective states, have made the provision recommended to them to be made by the said resolution of Congress. And as it is the opinion of your committee, that the interest of the United States, hath already suffered greatly for want of such provision, and doth require that it should be made by the several legislatures, without loss of time ; therefore,

*Resolved*, That it be most earnestly recommended to such of the legislatures of the United States, as may not have yet complied with the said recommendation of Congress, to enact laws in compliance therewith, as soon as may be ; and for empowering such person or persons, as already are or hereafter shall be appointed by the United States in Congress assembled, for that purpose, in their name and in their behalf, to commence, and to prosecute to final decree, judgment and execution, any action or actions, bill, suit, or plaint, either in law or equity, which may be proper and necessary, not only for the recovery from individuals of debts due, and effects belonging to the United States, but to recover, secure or maintain any rights, properties or interests to the said United States appertaining, or for any injury or damages whatsoever which they have sustained or may sustain therein. And that it be further recommended to the legislatures of the several states, to frame any act or acts which they may pass in pursuance of the foregoing recommendation, in such manner as may produce a speedy and effectual decision of all such bills, actions, suits or plaints as may be commenced, sued or prosecuted for the purposes aforesaid.

W E D N E S D A Y, JULY 28, 1784.

The Committee of the States assembled—Present nine states as yesterday.

The committee, consisting of Mr. Dana, Mr. Hand and Mr.

Mr. Houstoun, to whom was referred a report of a committee of Congress, on a letter from R. Totten to Oliver Pollock, agent for the United States, at the Havanna, dated 27th February, 1784, and a letter from said Pollock, to the superintendant of finance, dated 16th March following, submitted to Congress by him on the 13th April last, reported the draught of a letter to the charge des affaires of the United States, at the court of Madrid; and that copies of said letters be transmitted therewith. Which was agreed to.

THURSDAY, JULY 29, 1784.

The Committee of the States assembled—Present nine States as yesterday.

The committee, consisting of Mr. Dana, Mr. Chase and Mr. Read, to whom was referred a motion of Mr. Gerry, respecting a substitute for Mediterranean passes, reported the draught of an ordinance, which was read a first time.

*Ordered*, That it be read a second time. And the first paragraph being under debate,

A motion was made by Mr. Dana, seconded by Mr. Blanchard, That the further consideration of the ordinance be postponed—which was agreed to.

A motion was then made by Mr. Dana, seconded by Mr. Blanchard, in the words following, viz.

Whereas Congress do stand adjourned to the 30th day of October next, then to meet at Trenton, in the state of New-Jersey; and as it is proper that the public records and papers, now remaining in their office in this city, should be removed from hence to Trenton, and that offices should be prepared for their reception, and the whole be arranged before the meeting of Congress, which will require considerable time to effect: And as it is also expedient for the Committee of the States to be prepared to meet Congress in that place, and as there is not at present any business before the Committee of the States which require their immediate attention, which may not be seasonably finished, it is probable a more convenient opportunity may not present itself, for their adjourning without

without injury to the public, and for carrying into effect the removal of the public records and papers, and arranging the same against the next meeting of Congress, which is indispensibly necessary to be done—therefore

*Resolved*, That on the fourth day of August next, the Committee of the States shall stand adjourned to meet at Trenton, in the state of New-Jersey, on the second Monday in September next; and that the chairman be, and he hereby is authorized and directed to adjourn the Committee of the States, on the said fourth day of August next, to meet at Trenton, on the said second Monday of September next, for the dispatch of business.

*Resolved*, That the secretary of Congress, take order for the removal and arrangement of the public records and papers as abovementioned, as soon after the adjournment of the Committee of the States from this city to Trenton, as may be; so that the whole may be in order by the day of their meeting there.

On the question to agree to this, the yeas and nays being required by Mr. Dana.

New-Hampshire,	Mr. Blanchard	ay
Massachusetts,	Mr. Dana	ay
New-Jersey,	Mr. Dick	ay
Pennsylvania,	Mr. Hand	no
Maryland,	Mr. Chase	no
Virginia,	Mr. Hardy	no
North-Carolina,	Mr. Spaight	ay
South-Carolina,	Mr. Read	ay
Georgia,	Mr. Houston	no

So the question was lost.

F R I D A Y, JULY 30, 1784.

The Committee of the States assembled—Present nine states as yesterday.

The chairman laid before the Committee of the States, an act of the commonwealth of Massachusetts, entitled, “An act vesting certain powers in Congress.”

The committee of the States is adjourned to Monday ten o'clock.

MONDAY,



MONDAY, AUGUST 2, 1784.

The Committee of the States assembled—Present New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South Carolina and Georgia.

The committee consisting of Read, Mr. Chafe and Mr. Hand, to whom was referred a letter dated Passy, 12th May 1784, from Mr. Franklin, minister plenipotentiary from the United States to the court of Versailles, directed to the president of Congress, and enclosing copy of the ratification of the definitive treaty of peace on the part of his Britannic majesty exchanged, with that on the part of the United States of America, the 12th May, 1784, at Passy, reported the draught of a letter to be signed by the chairman of the Committee of the States, and transmitted together with a copy of the said ratification, to the supreme executive authority of each of the United States—which was agreed to.

*Ordered*, That the ratification of the definitive treaty of peace on the part of his Britannic majesty, exchanged for that on the part of the United States of America, on the 12th May, 1784, at Passy in France, be entered on the journal—which is in the words following.

“ George the third, by the grace of God, king of Great Britain, France and Ireland, defender of the faith, duke of Brunswick and Lunenburg, arch treasurer and prince elector of the holy Roman empire, &c. to all to whom these presents shall come greeting : Whereas a definitive treaty of peace and friendship, between us and our good friends, the United States of America, viz. New-Hampshire, Massachusetts Bay, Rhode-Island, and Providence-Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina South Carolina, and Georgia, was concluded and signed at Paris on the third day of September last, by the plenipotentiaries of us, and our said good friends, duly and respectively authorized for that purpose ; which definitive treaty is in the form and words following.

“ In the name of the most holy and undivided Trinity.

“ I T having pleased the Divine Providence to dispose the hearts of the most serene and most potent prince George the third, by the grace of God, king of Great Britain, France and Ireland, defender of the faith, duke of Brunswick and Lunenburg, arch treasurer and prince elector of the holy Roman empire, &c. and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore ; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and secure to both perpetual peace and harmony ; and having for this desirable end, already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great-Britain and France, and his Britannic Majesty should be ready to conclude such treaty accordingly ; and the treaty between Great-Britain and France having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles abovementioned, according to the tenor thereof, have constituted and appointed, that is to say, his Britannic Majesty on his part, David Hartley, esquire, member of the parliament of Great Britain ; and the said United States on their part, John Adams, esquire, late a commissioner of the United States of America, at the court of Versailles, late delegate in Congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States to their High Mightinesses the States General of the United Netherlands ; Benjamin Franklin, esquire, late delegate in Congress from the state of Pennsylvania, presi-

dent of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles; John Jay, esquire, late president of Congress, and chief justice of the state of New-York, and minister plenipotentiary from the said United States at the court of Madrid, to be the plenipotentiaries for the concluding and signing the present definitive treaty: who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

“ARTICLE 1<sup>st</sup>. His Britannic Majesty acknowledges the said United States viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, to be free, sovereign and independent states: that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof.

“ARTICLE 2<sup>d</sup>. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz. from the north west angle of Nova Scotia, viz. that angle which is formed by a line drawn due north from the source of Saint-Croix river to the Highlands; along the said Highlands which divide those rivers that empty themselves into the river Saint-Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the



the water communication between that lake and lake Huron ; thence along the middle of said water communication into the lake Huron ; thence through the middle of said lake to the water communication between that lake and lake Superior ; thence through lake Superior northward of the isles, Royal and Philippeaux, to the long lake ; thence through the middle of said long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods ; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi ; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Catahouche ; thence along the middle thereof to its junction with the Flint river ; thence straight to the head of Saint Mary's river ; and thence down along the middle of Saint Mary's river to the Atlantic Ocean. East by a line to be drawn along the middle of the river Saint-Croix, from its mouth in the bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint-Lawrence : comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic Ocean ; excepting such islands as now are or heretofore have been within the limits of the said province of Nova-Scotia.

ARTICLE 3d. It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland ; also in the gulph of Saint Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any

time

time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE 4th. It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE 5th. It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the Thirteen United States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend



pend to the several states, that the estates, rights and properties of such last mentioned persons shall be restored to them ; they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation. And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

“ ARTICLE 6th. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for or by reason of the part which he or they may have taken in the present war ; and that no person shall on that account, suffer any future loss or damage, either in his person, liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

“ ARTICLE 7th. There shall be a firm and perpetual peace between his Britannic majesty and the said states, and between the subjects of the one, and the citizens of the other, wherefore all hostilities both by sea and land, shall from henceforth cease ; all prisoners on both sides shall be set at liberty, and his Britannic majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post, place and harbour within the same ; leaving in all fortifications the American artillery that may be therein, and shall also order and cause all archives, records, deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

“ ARTICLE



“ARTICLE 8th. The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain, and the citizens of the United States.

“ARTICLE 9th. In case it should so happen, that any place or territory belonging to Great-Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed that the same shall be restored without difficulty, and without requiring any compensation.

“ARTICLE 10th. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties, in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their ministers plenipotentiary, have in their name, and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

“DONE at Paris, this third day of September, in the year of our Lord, one thousand seven hundred and eighty three.

“(L. S.) D. HARTLEY, (L. S.) JOHN ADAMS,  
(L. S.) B. FRANKLIN,  
(L. S.) JOHN JAY.”

“We having seen and considered the definitive treaty aforesaid, have approved, ratified, accepted and confirmed it in all and every one of its articles and clauses, as we do by these presents, for ourself, our heirs and successors, approve, ratify, accept and confirm the same; engaging and promising upon our royal word, that we will sincerely and faithfully perform and observe all and singular the things which are contained in the aforesaid treaty, and that we will never suffer it to be violated by any one.

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er transgressed in any manner, as far as it lies in our power. For the greater testimony and validity of all which, we have caused our great seal of Great-Britain to be affixed to these presents, which we have signed with our royal hand. Given at our court at St. James's, the ninth day of April, one thousand seven hundred and eighty-four, in the twenty-fourth year of our reign.

(Signed) GEORGE R.

*Ordered*, That the foregoing ratification be published in the Maryland gazette.

*Ordered*, That the secretary cause the journals of the Committee of the States, to be printed forthwith.

The report of a committee, consisting of Mr Hand, Mr. Read and Mr. Spaight, to whom was referred part of a report of a committee, on a letter dated 23d May, 1784, from Joseph Carleton, secretary in the war-office, recommending the disposal of sundry stores by public auction, was agreed to, and referred to said secretary to take order.

Mr. Read having informed the Committee of the States of the request of Mr. H. Remsen, junior, under secretary in the office for foreign affairs, that he have leave of absence for three weeks or a month, for the purpose of going to New-York to settle some private affairs.

*Ordered*, That leave be granted.

T U E S D A Y, AUGUST 3, 1784.

The Committee of the States assembled—Present nine States as yesterday.

The committee consisting of Mr. Read, Mr. Blanchard, and Mr. Chase, to whom was referred a letter from Mr. P. Muhlenberg, to his excellency the president of Congress, dated Philadelphia, July 5, 1784, reported the draught

draught of a letter to be signed by the chairman of the Committee of the States, and transmitted to the executive of the state of Virginia, together with a copy of said letter—which was agreed to.

The committee consisting of Mr. Read, Mr. Dana and Mr. Hand, to whom was referred the motion of Mr. Read of the 2d instant, "That a committee be appointed to prepare a proclamation for a day of solemn prayer and thanksgiving to Almighty God, to be observed throughout the United States of America; on the exchange of the instruments of ratification of the definitive treaty of peace, between the United States of America and his Britannic Majesty; and the happy completion of the great work of independency and peace to these United States," reported the following form of a proclamation.

By the UNITED STATES of AMERICA.  
in a COMMITTEE of the STATES assembled, a Proclamation.

WHEREAS it hath pleased the supreme Ruler of the universe, of his infinite goodness and mercy, so to calm the minds and do away the resentment of the powers lately engaged in a most bloody and destructive war, and to dispose their hearts towards amity and friendship, that a general pacification hath taken place, and particularly a definitive treaty of peace between the said United States of America and his Britannic Majesty, was signed at Paris, on the third day of September, in the year of our Lord, one thousand seven hundred and eighty three: the instruments of the final ratifications which were exchanged at Passy, on the twelfth day of May, in the year of our Lord, one thousand seven hundred and eighty four, whereby a finishing hand was put to the great work of peace, and the freedom, sovereignty and independence of these states, fully and compleatly established: And whereas in pursuit of the great work of freedom and independence, and the

progress



progress of the contest in which the United States of America, have been engaged, and on the success of which the dearest and most essential rights of human nature depended, the benign interposition of Divine Providence hath on many occasions been most miraculously and abundantly manifested; and the citizens of the United States have the greatest reason to return their most hearty and sincere praises and thanksgiving to the God of their deliverance—whose name be praised.—Deeply impressed therefore with the sense of the mercies manifested to these United States, and of the blessings which it hath pleased God to shower down on us, of our future dependence at all times on his power and mercy as the only source from which so great benefits can be derived; we the United States of America, in the Committee of the States assembled, do earnestly recommend to the supreme executives of the several states, to set apart *Tuesday the nineteenth day of October* next, as a day of public prayer and thanksgiving, that all the people of the United States may then assemble in their respective churches and congregations, to celebrate with grateful hearts, and joyful and united voices, the mercies and praises of their allbountiful Creator, most holy, and most righteous! for his innumerable favours and mercies vouchsafed unto them—more especially that he hath been graciously pleased so to conduct us through the perils and dangers of the war, as finally to establish the United States in freedom and independency, and to give them a name and place among the princes and nations of the earth—that he hath raised up great captains and men of war from amongst us, to lead our armies, and in our greatest difficulties and distresses hath given us unanimity to adhere to and assert our just rights and privileges; and that he hath been most graciously pleased also, to raise up a most powerful prince and magnanimous people, as allies to assist us in effectually supporting and maintaining them—that he hath been pleased to prosper the labour of our husbandmen; that there is no famine or want seen throughout our land: And above all, that he hath been pleased to continue to us the light of gospel truths and secured to us in the fullest manner the rights of conscience in faith and worship.

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And

And while our hearts overflow with gratitude, and our lips pronounce the praises of our great and merciful Creator, that we may also offer up our joint and fervent supplications, that it may please him of his infinite goodness and mercy, to pardon all our sins and offences; to inspire with wisdom and a true sense of the public good, all our public councils; to strengthen and cement the bonds of love and affection between all our citizens; to impress them with an earnest regard for the public good and national faith and honor, and to teach them to improve the days of peace by every good work; to pray that he will in a more especial manner shower down his blessings on Louis the most christian king our ally, to prosper his house, that his son's sons may long sit on the throne of their ancestors a blessing to the people entrusted to his charge—to bless all mankind, and inspire the princes and nations of the earth with the love of peace, that the sound of war may be heard of no more—that he may be pleased to smile upon us, and bless our husbandry, fishery, our commerce, and especially our schools and seminaries of learning; and to raise up from among our youth, men eminent for virtue, learning and piety, to his service in church and state—to cause virtue and true religion to flourish, to give to all nations amity, peace and concord, and to fill the world with his glory. Done by the United States, in the Committee of the States assembled, witness the honorable Samuel Hardy, chairman, this——day of———in year of our Lord, &c. and in the ninth of the sovereignty and independence of the United States of America.

A motion was made by Mr. Dana, seconded by Mr. Blanchard, to postpone the consideration of the proclamation before the house: And on the question for postponing, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Blanchard	ay
Massachusetts,	Mr. Dana	ay
New-Jersey,	Mr. Dick	ay
Pennsylvania,	Mr. Hand	no
Maryland,	Mr. Chase	ay

Virginia,

Virginia,	Mr. Hardy	<i>no</i>
North-Carolina,	Mr. Spaight	<i>no</i>
South-Carolina,	Mr. Read	<i>no</i>
Georgia,	Mr. Housloun	<i>ay</i>

So the question was lost.

It was then agreed that the consideration of the proclamation be postponed, to make way for a motion made by Mr. Dana, seconded by Mr. Blanchard as follows.

Whereas Congress do stand adjourned to the 30th day of October next, then to meet at Trenton, in the State of New-Jersey, and as it is proper that the public records and papers, now remaining in their office in this city, should be removed from hence to Trenton, and that offices should be prepared for their reception, and the whole be properly arranged before the meeting of Congress, which will require considerable time to effect; and as it is also expedient for the Committee of the States to be prepared to meet Congress in that place; and as there is not at present any business before the Committee of the States, that require their immediate attention, which may not be seasonably finished—And whereas there has not been more than nine states represented in the Committee of the States, since their meeting on the 26th day of June last; and as no act, except that of adjourning from day to day, can be passed but by their unanimous consent; and as the delegates now representing two of the states in the Committee of the States, have informed them, that they are under the necessity of returning to their respective states in the course of the next week, and have no expectation that their states will be shortly represented by any other delegates, which will prevent the Committee of the States proceeding to business for an uncertain time; and as a continuance of their session, without a representation of at least nine states, would be altogether useless, the Committee of the States are of opinion, that as a more convenient opportunity cannot present itself for their adjourning without injury to the public, and for carrying into effect the removal of the public records and papers, and arranging the same against the next meeting of Congress, which is indispensibly necessary.



cessary to be done ; it is their duty under these circumstances, to adjourn from hence to Trenton :—Therefore *Resolved*, That on this third day of August instant, the Committee of the States shall stand adjourned to meet at Trenton, in the state of New-Jersey, on the second Monday of September next ; and that the chairman be, and he hereby is, authorized and directed, to adjourn the Committee of the States, on the said third day of August instant, to meet at Trenton, on the said second Monday of September next, for the dispatch of public business. *Resolved*, That the secretary of Congress, and the under secretary in the office for foreign affairs, take order for the removal and arrangement of the public records and papers in their respective offices as abovementioned, as soon after the day of the adjournment of the Committee of the States from this city to Trenton as may be, so that the whole may be in order by the day of their meeting there.

A motion was then made by Mr. Hand, seconded by Mr. Read, to postpone the consideration of the motion made by Mr. Dana, in order to introduce the following:

*Resolved*, That a committee of five be appointed to prepare an ordinance for making the necessary arrangements of the treasury, and for more particularly defining the powers of the board of treasury ; to revise the institution of the office of foreign affairs, and of the war-office ; and to report such alterations as they may judge necessary.

On the question to postpone for the purpose abovementioned the yeas and nays being required by Mr. Dana.

New Hampshire,	Mr. Blanchard	<i>no</i>
Massachusetts,	Mr. Dana	<i>no</i>
New-Jersey,	Mr. Dick	<i>no</i>
Pennsylvania,	Mr. Hand	<i>ay</i>
Maryland,	Mr. Chase	<i>ay</i>
Virginia,	Mr. Hardy	<i>ay</i>
North-Carolina,	Mr. Spaight	<i>ay</i>
South Carolina,	Mr. Read	<i>ay</i>
Georgia.	Mr. Houstoun	<i>ay</i>

So the question was lost.

# COMMITTEE OF THE STATES. 41

On the question to agree to the motion of Mr. Dana, the yeas and nays being required by him.

New-Hampshire,	Mr. Blanchard	<i>ay</i>
Massachusetts,	Mr. Dana	<i>ay</i>
New-Jersey,	Mr. Dick	<i>ay</i>
Pennsylvania,	Mr. Hand	<i>no</i>
Maryland,	Mr. Chase	<i>no</i>
Virginia,	Mr. Hardy	<i>no</i>
North-Carolina,	Mr. Spaight	<i>ay</i>
South Carolina,	Mr. Read	<i>ay</i>
Georgia,	Mr. Houstoun	<i>no</i>

So the question was lost.

W E D N E S D A Y, AUGUST 4, 1784.

Only eight states attending, viz. New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina, and Georgia.

The Committee of the States is adjourned till ten o'clock to morrow.

T H U R S D A Y, AUGUST 5, 1784.

Only the same members attending as yesterday, the Committee of the States is adjourned till ten o'clock to morrow.

F R I D A Y, AUGUST 6, 1784.

Only the same members attending as yesterday, the Committee of the States is adjourned till ten o'clock to morrow.

S A T U R D A Y, AUGUST 7, 1784.

Only the same members attending as yesterday, the Committee of the States is adjourned to Monday ten o'clock.

M O N D A Y, AUGUST 9, 1784.

The Committee of the States assembled—Present New-Hampshire,

Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

A motion being made by Mr. Hand, seconded by Mr. Spaight, and notice given that the yeas and nays would be required during the debate, New-Hampshire withdrew, whereupon, the Committee of the States adjourned to ten o'clock to morrow.

#### TUESDAY, AUGUST 10, 1784.

Mr. M'Henry attended for Maryland.

Only eight states attended, namely, Massachusetts New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

The Committee of the States is adjourned till ten o'clock to morrow.

#### WEDNESDAY AUGUST 11, 1784.

Only seven states attending, namely, New-Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South-Carolina and Georgia.

The Committee of the States is adjourned till ten o'clock to morrow.

#### THURSDAY, AUGUST 12, 1784.

Mr. Chase attended for Maryland.

Only six states attending, namely, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and these being informed that the members for New-Hampshire, Massachusetts and New-Jersey, left the city of Annapolis yesterday, with a view of returning to their respective homes, the Committee of the States is adjourned to ten o'clock to morrow.

#### FRIDAY, AUGUST 13, 1784.

The same members attending as yesterday, the Committee of the States is adjourned to ten o'clock to morrow.

Afterwards the members waited, but met irregularly till the 19th August, when they signed the following paper.

Whereas



## COMMITTEE OF THE STATES. 47

Whereas the honorable the delegates from the States of New-Hampshire, Massachusetts and New Jersey, did on Wednesday the eleventh day of the present month of August, leave the city of Annapolis, and set out for their respective homes, whereby the Committee of the States hath been reduced to a number insufficient to do any manner of business; and whereas the continuance to meet from day to day, of the remaining members without the power to do any public act will be unnecessary; and as they do not conceive there is the smallest hope, that a sufficient number of delegates can again be assembled at Annapolis, to enable the Committee of the States to proceed to business, before the time appointed for the meeting of Congress pursuant to their adjournment, and it is proper that the public papers and records, should be removed as speedily as may be to Philadelphia, till offices can be prepared for their reception at Trenton. The undersigned delegates have recommended to the secretary of Congress, to take order for the immediate removal and safe arrangement and disposition of the papers and records of Congress.

*Annapolis, State of Maryland,  
Thursday, 19th Aug. 1784.*

*(Signed)*

S. HARDY, delegate from Virginia, and Chairman of the Committee of the States.

EDWARD HAND, delegate from Pennsylvania.

J. T. CHASE, delegate from Maryland.

RICHARD DOBBS SPAIGHT, delegate from North-Carolina.

JACOB READ. delegate in Congress from the state of South Carolina.

WILLIAM HOUSTOUN, delegate from Georgia.

















